

HISTORICAL PAPERS

Published by the Trinity
College Historical Society



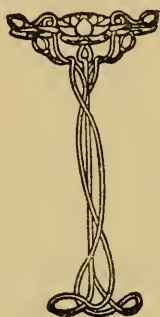
SERIES XV

DUKE UNIVERSITY PRESS
DURHAM, NORTH CAROLINA

1925

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CONTENTS

	PAGE
PREFATORY NOTE.....	4
SOME CHAPTERS IN THE LIFE OF WILLIE PERSON MANGUM—Penelope McDuffie.....	5
THE LOWRIE GANG—AN EPISODE IN THE HISTORY OF ROBESON COUNTY—James J. Farris.....	55

PREFATORY NOTE

Since the last publication of the *Historical Papers* in 1922, the corporate name of Trinity College has been changed to Duke University (December, 1924). However as any alteration in the Society's title would cause a disruption of continuity in the classification and the cataloging of its works, and as Trinity College remains a unit of Duke University, the name of the Society has not been changed. But financial responsibility for its publications has been assumed by the Duke University Press and this issue appears with its imprint.

WM. K. BOYD,

For the Committee on Publication.

Sept. 24, 1925.

CHAPTERS IN THE LIFE

of

WILLIE PERSON MANGUM

BY

PENELOPE McDUFFIE*

* Miss McDuffie, late Professor of History in Converse College, South Carolina, died on October 10, 1924. For several years she had been engaged in the preparation of a biography of Willie P. Mangum, intended primarily as a doctoral dissertation at Columbia University. Among her papers five chapters were found, practically complete. With slight editorial emendations they are now published. They trace the story of Mangum's political career down to his resignation from the Senate in 1836. Throughout extensive use is made of the Mangum Manuscripts in the Library of Congress, the result being the most comprehensive study of Senator Mangum yet published. It is a cause of deep regret, felt by everyone interested in the federal period of American history, that Miss McDuffie could not live to complete the important work she undertook.—W. K. B.

CONTENTS

	PAGE
I. THE HILLSBORO DISTRICT, THE HEART OF NORTH CAROLINA, IN 1792.....	7
II. EARLY YEARS AND TRAINING.....	11
III. MAKING HIS WAY.....	17
IV. IN STATE AND NATIONAL POLITICS.....	22
V. IN THE SENATE, 1830-1836.....	39

THE HILLSBORO DISTRICT, THE HEART OF
NORTH CAROLINA, IN 1792

Most of "Hillsboro District" in 1792 was identical with the old county of Orange, out of whose spacious extent have come the present counties of Durham, Caswell, Person, Chatham, and Alamance besides parts of Guilford, Rockingham, Wake, and Randolph. Socially and politically it was typical of the state and yet it represented "the West," as unlike the coast plantation districts in needs and desires as in geography. The hills through which the Haw River and its tributaries flow had their great forests yet unravaged, and where rhododendron and laurel still charm the eye there was virgin growth of the fertile soil of the Piedmont. It was a hill country, beloved of its people and resorted to as a bracing climate in summer by those coast dwellers who had family connections or friends to visit in old Orange.

The people of Orange were not exclusively of one class or ancestry or kind. There were some large land-owners. Toward the east lived the Bennehans at Fairintosh, and half a day's journey west was Winindale, the country seat of the Strudwicks. The Kirklands lived at Ayrmount and along the south bank of the Eno for a mile stretched the land of Thomas Hogg. Large grants had been held also by the Hendersons and Bentons, but for the most part the small land-owner found his place here. Without the modifying influence of great numbers of slaves, and with the addition of Scotch, Irish, and German to the English element of the population, these people were not so conservative as those of eastern Carolina. It is true they hated to pay taxes and the majority cared little for education, but they deserved Bancroft's estimate: "The freest of free men to whom the restraints of other colonies were too severe."

The families who had settled the district in colonial days remained there, and even when the state declined in population, losing to the new West, nearly always some representative of the family clung to the home and carried on the name. Among the magistrates commissioned by Governor Caswell in 1771

was William Cain, substantial farmer whose daughter, Charity Alston, nearly fifty years later became the wife of young Judge Willie Person Mangum. One may read the following list of William Cain's fellow magistrates and easily believe it to be a contemporary Democratic club-roll of an Orange County precinct: Thos. Hart, John Butler, Alex Mebane, Sr., James Freeland, Alex Mebane, Jr., John Hogan, Chas. Abercrombie, Robt. Abercrombie, Richard Bennehan, Nathaniel Rochester, Thos. Taylor, Richard Holleman, Eli McDaniel, Wm. McCauley, Wm. Rainey, Hugh Tinnin, Wm. Courtney, John Nichols, John Steel, John Ray, John Hawkins, and Wm. Cain.¹

The district was marked by the economic and social limitations of the time. Where now the smoke of factory chimneys signals a changed order, then plantations or small farms maintained a self-sufficing existence, at cross-roads a tavern and store served as centres for the socially inclined and inquisitive, and the roads were still trails along which schooner wagons wound their way to distant markets—to Petersburg, Virginia, or perhaps Cheraw or Camden, South Carolina. If the wagons were not filled with corn and hides they carried along whiskey, which was freely manufactured by the "best people" and still more freely sold and consumed by all classes.² When half the value of their products went into the journey to market, men had a mighty incentive to change. It is a proof not of their lack of desire but of the strength of the forces against them, that conditions remained so long unchanged.

Churches were slowly extending themselves: the Episcopal Church, not yet recovered from its loss of prestige in the Revolution, the Methodist Societies beginning to think of schools and printing-presses as well as evangelism, the Quaker influences of Guilford persistent, and the Presbyterian Synod and Baptist district associations recently organized. For a widely scattered population this was a good beginning. Schools were in the academy stage and had slight effect on the masses. The founding of the University of North Carolina at Chapel Hill, near Hillsboro, in 1795, was of tremendous influence, as was

¹ Francis Nash, *Hillsboro Colonial and Revolutionary*, p. 58.

² Hoyt, Wm. H., *Papers of Archibald D. Murphey*. Vol. I, p. 38.

also the fact that the village of Hillsboro had one of the few printing presses in the state.

The village of Hillsboro, which later gave its name to the district and was the most important settlement in Orange, was in fact one of the most interesting and promising centers of culture in North Carolina. It could boast of colonial and revolutionary traditions and had just missed being the permanent capital because of a loyalist raid which captured Governor Burke and other state officers. Governor Tyron, who certainly had more opportunity to judge than most people, considered Hillsboro so favorably that he built a "mansion house" on the two lots he purchased there, and to the Colonial Secretary for whom he had the place re-named he wrote in 1767: "Tho' there is at present scarce twenty families inhabitant, I am of the opinion it will be, in the course of a few years, the most considerable town in this province."³

Here lived many of the foremost men of North Carolina in Revolutionary times: William Hooper, a law student of James Otis, Thomas Burke, eloquent Irish lawyer and legislator, Francis Nash, brilliant officer of Washington. Later as contemporaries of Senator Mangum there were two chief justices—Thomas Ruffin and Frederick Nash—George E. Badger, the constitutional lawyer, Archibald D. Murphey, the genius who in 1819 was a generation ahead of his day in pleading for internal improvements, public education, and a record of state history, W. A. Graham, leader with Mangum and Badger of the Whigs, J. W. Norwood, and finally the Connecticut Yankee editor, Dennis Heartt, who made of the *Hillsboro Recorder* one of the most powerful newspapers of the state.

For a generation after colonial days Hillsboro changed but little. The road which Cornwallis had his soldiers build on his retreat from the Dan River was the only good one to be found. Men were living who pointed out the spot a little to the east where four Regulators were executed. The Court House where Judge Richard Henderson was overwhelmed when the Regulators broke up court still boasted of the clock which George III. (or the Earl of Hillsboro, more likely) had

³ *Colonial Records of North Carolina*, VII, p. 432.

furnished it, although that time piece had been placed in the market house. Hospitable families recalled the vast amount of entertaining that was necessary when the Provincial Congress overflowed the "elegant tavern." A paper mill had been established and a pretentious Science Hall to instruct the youth. Hillsboro was certain a mistake had been made when the resolution making it the location of the state's permanent capital was rescinded.

County matters were largely in the hands of the County Court of Quarter Sessions, composed of the local Justices of the Peace who elected one of their number as presiding judge. This office, regarded as highly honorable, was the one in which retired Supreme Court Justices, Senators, and cabinet members might find their last useful work. As a matter of fact, that was the course pursued by Chief Justice Ruffin, Senator Mangum, and Secretary Badger. The court had a wide range of administration, from certain criminal and civil cases through such duties as guardianship of orphans and probate of wills, to the building of roads and bridges and the oversight of constables.

Nature had done all she could for Hillsboro in the gift of fertile soil, beauty of hill and river and glimpse of mountain peaks, but she must wait on man for roads and markets and schools before she could come into her own. Here was a population of great potentiality—a few educated and highly gifted people maintaining among themselves a social life of charming hospitality, a larger number of sturdy, hard-working, individualistic farmers who wished nothing but to be "let alone," if better government meant more taxes; and an ignorant, prejudiced remnant whose only hope lay in industries and education which they had no idea how to obtain. From this section, born within twenty years after the Revolution and in about the same circumstances, came men as widely different as Thomas Hart Benton, who migrated to Missouri and led the Jacksonians of the West, and Willie Person Mangum, who guided his state and party in the fight against Jackson.

II

EARLY YEARS AND TRAINING

In that part of Orange County which in 1881 became Durham County, at what was long called Red Mountain, Willie Person Mangum was born on May 10, 1792. The first name is pronounced Wiley, after the fashion in North Carolina in those days. It was a popular name, made more so perhaps by the well-known adoptive father of John Paul Jones. No one seems to have misunderstood it and only an occasional letter was addressed Wiley P. Mangum. The middle name is the family name of his paternal grandmother, a relative of General Thomas Person of Granville.

Family records, as a rule, were not well kept in North Carolina, and those of the Mangum family are no exception. It would be interesting to trace the family beyond its American home, but it could add nothing to Senator Mangum's distinction and is not essential to an understanding of his early life. The name is British and has been modified in spelling. In Ireland it was spelled Mangham, and the Georgia relatives kept that form. Willie Mangum was one of the brothers of the family whose descendants settled in Glynn County, Georgia, lost considerable property to the British who raided the coast in the War of 1812, and took an active part in public life.¹

The first actual records that we have of the Mangums are those of Albemarle Parish, Sussex County, Virginia. Here lived William, James, and John.² William is the one whose son of the same name must have gone to Georgia and another son, Arthur, to North Carolina, since this agrees with the Georgia records. At any rate an Arthur Mangum appeared in North Carolina at about the time of the last great wave of migration from Virginia to the South. He took up lands in Orange County, some of which remained in the family for nearly a hundred and fifty years. A manuscript note made by Thomas Person reads: "Willie Person Mangum" "Bought of Arthur Mangum 1 Barrel corn @ 9/6 cash he Dr. to 2/6 for Writeing

¹ Mangum MSS. Letter of James C. Mangham to Mangum, Milledgeville, Ga., December 12, 1823.

² See *Virginia Magazine of History and Biography*, July, 1904.

his Deed to Orange Co. next in May, Tuesday 6 Apr." This was in 1763.³

The Thomas Person who made the above note was distinctly interested in "writeing" such a deed, since his young relative Lucy had married the Virginian. The Persons were keen about public affairs and not without experience in politics, so Lucy Person's grandson came rightfully by his statesmanship.

To Arthur Mangum and his wife were born numerous children, all of whom except one married, and their distinguished descendant justified their parental hope and pride. Although there is no date of birth recorded, William Person is thought to have been the eldest son, born about 1762 or 1763. It was a common thing for the eldest son to bear his mother's maiden name. When he was twenty-eight years old William Person Mangum is recorded as owning 200 acres of land and having three "black polls."⁴ He had married Catherine Davis, daughter of a Pennsylvanian who had come down to Orange County from the Schuylkill River. There are no contemporary accounts of her, but at her death one of her sons called her "best and dearest of our family."⁵ She died March 11, 1829 and her husband survived her by eight years.

Of the marriage of William Person and Catherine Davis Mangum there were only three children, fine up-standing sons. The youngest, Walter Avis, devoted himself to business and finally yielded to the westward urge, moved to Mississippi for the larger opportunities of a planter there, and after refugeeing in Texas during the Civil War died in Louisiana. Priestly Hinton, the second son, became a lawyer, had a large practice, and was a good judge of men and affairs in politics. His letters to the elder brother are full of shrewd comment and sound advice. But the "golden child" of the three was the eldest, Willie Person. He was handsome and magnetic and the gift of popular appeal was in him as a lad.

In young Willie's childhood the schools were such as one might expect in a scattered population. The farmers of means

³ Stephen B. Weeks, in Ashe, *Biographical History of North Carolina*, V. 238.

⁴ *N. C. State Records*, X. 1296.

⁵ Mangum MSS. Letter of Priestly H. Mangum, March 14, 1829.

might, if they chose, send their sons to the academies where they were prepared for the University. They became proficient in enough Latin to read the Aeneid, a little Greek, Murray's Grammar ("the large text"), and "Reading, spelling, writing, and arithmetic to the rule of three."⁶ In these pre-Volstead days academy principals advertised that they would take as payment for tuition corn, bacon, brandy "and a generous price allowed."⁷

Hillsboro Academy had been re-organized in 1801 under Reverend Andrew Flinn. Tuition was sixteen dollars a year. Among the trustees appear the names of William Cain, Willie's future father-in-law, and Duncan Cameron, his generous patron.⁸ He studied here, although there is no record of how many years. The Rev. Andrew Flinn did not remain long at Hillsboro and was succeeded by George Johnston, A.M., "lately from Edinburgh," who proved a disappointment and was displaced by Thomas Baron, A.M., "from the University of Cambridge in Massachusetts," and a year later by one Richard Henderson, son of Richard Henderson of pre-revolutionary fame and formerly a tutor in the University of North Carolina. Only after Willie's academy days did the well-known principal, William Bingham, take charge of the Academy.⁹

Among the educators of the state in Mangum's boyhood John Chavis, an eminent Presbyterian preacher, must be mentioned. In legal phrase he was a "person of color." He had been born free, had been a Revolutionary soldier, was educated at Princeton as a private pupil of Dr. Witherspoon, then licensed to preach in 1801 by the Presbytery of Lexington, Virginia, and again in 1809 by that of Orange in North Carolina.¹⁰ In the meantime he had a classical school and taught a number of men who became well known in the service of the state. In the list of his pupils generally accepted is the name of Willie Person Mangum, along with George L. Wortham, Judge Henderson's sons, Archibald and John, William Horner,

⁶ *Raleigh Star*, March 15, 1810. Quoted in Coon, C. L.: *Documentary History of Public Education in North Carolina*, p. 74.

⁷ *Ibid.* Quoted in Coon, C. L.: *North Carolina Schools and Colleges 1790-1840*, pp. 5-12.

⁸ *Raleigh Register*, November 10, 1801.

⁹ Coon, C. L.: *North Carolina Schools and Academies*, pp. 280-282.

¹⁰ *Acts and Proceedings of the General Assembly of the Presbyterian Church in the United States*.

and others.¹¹ Without other evidence one might judge this to be the fact from the long, intimate, and always affectionate letters written by this old man to Mangum when he was in political life. These letters deserve publication for the revelation of his keen interest in political life, his friendship with his former students (he mentions by name Priestley Mangum, Charles Manly—last Whig governor of North Carolina—and Abram Rencher, a member of Congress), and his protest against abolition.¹² None of these, however, refers to Mangum's own school days and we have no written report of his study under Chavis.

One of the best academies of the state was that at Raleigh, presided over by Rev. William McPheeters. There Mangum studied during the first session in 1811 and in 1812 he was an instructor, delivering a "handsome and appropriate oration" at the Fourth of July celebration.¹³ When he was a student he excelled in Latin and Greek, as the published accounts of the semi-annual public examinations show.¹⁴ These were held in the State House under the eye of an imposing body of trustees, who also kept in touch with the instruction given by a system of Committees on Visitation that inspected the academy weekly.¹⁵ Mangum's fellow-students here were just the ones he should have known if he had had any idea of entering politics: Weston Gales, the Haywoods, Josiah Crudup (later a formidable antagonist for Congress), and the Polks of Raleigh, besides boys from several other counties.¹⁶

In the interval between his capture of honors at the examinations in the Raleigh Academy and his position as instructor there, he had entered the University and spent his first session in the home of Mr. Archibald Haralson, a nephew of Archibald D. Murphey. In a letter to his uncle Mr. Haralson wrote in considerable enjoyment of the young student and his "mind of speculative turn." The two read together such authors as

¹¹ Bassett, J. S.: *Slavery in the State of North Carolina*, ch. III. Boyd, W. K.: *History of North Carolina*, p. 221.

¹² Mangum MSS. Letters from John Chavis during a period of ten years, 1826-1836.

¹³ *Raleigh Register*, July 10, 1812.

¹⁴ *Raleigh Star*, June 21, 1811.

¹⁵ *Raleigh Register*, May 1, 1812.

¹⁶ *Raleigh Star*, January 31, 1812.

Hume and Rousseau. "When we read," Mr. Haralson went on, "we examine the propriety of their reasons, sift and weigh their arguments and the accuracy of their deductions."¹⁷

The President of the University at that time was the Rev. Robert Hitt Chapman, D.D., and the teaching staff consisted of three professors and one tutor. There were two sessions, the first from January to May 24th, and the second from June 20 to November 5. The total expenses of the session were \$58.50, tuition being \$10.00, room-rent \$1.00, candles and wood \$4.00.¹⁸ There are no recorded complaints of parents at youthful extravagance.

Mangum and his younger brother, Priestley, graduated in the same class at the University, that of 1815. They were both members of the Dialectic Society and tradition says that honors went to Priestley. James K. Polk had graduated the year before with first honors, but if we may believe his classmates they would never have assigned the place to him, ranking him below Hugh Waddell and considering him "a very ignorant man of all the current knowledge of the world when he quit college."¹⁹ The habit of rendering judgments from slight personal impressions, apparently, was already established in the college world. This year Francis Lister Hawks was valedictorian, foretelling his position as clergyman and author. Others who left an impress on public life were John H. Bryan, a trustee of the University for forty-five years, Isaac Croom, an active Whig, Edward Hall, Justice of the Supreme Court, and Richard Dodds Spaight, Jr., the last of the governors to be elected by the Assembly.

Priestley Mangum remained at the University as a tutor. In 1817, during the first session, the strange spectacle was presented of a University without a professor, the entire staff consisting of President Caldwell and the tutors, Priestley Mangum and John M. Morehead.²⁰ But although the Mangum brothers taught, neither cared for the teacher's profession and were already thinking of law.

¹⁷ Hoyt, *Papers of A. D. Murphey*, I. 53-54.

¹⁸ *Raleigh Register*, 1812.

¹⁹ Mangum MSS. Letter from H. G. Jones, classmate of Polk, September 9, 1844.

²⁰ Battle, K. P.: *History of the University of N. C.*, pp. 230-280.

The first hint of Mangum's political sympathies may be gained from two sources of this period. His diploma from the Dialectic Society (to which Bedford Brown, Charles Manly, and David F. Caldwell also belonged) was sent him by Stephen K. Sneed in September, 1814. Sneed wrote at length as to a sympathizing ear; "The Democrats here are completely mute, consequently the good old cause of Federalism continues triumphant. . . . Old Quiper has been draughted out consequently there were a few execrations poured forth on poor Jimmy Madison & this glorious war."²¹ The second has to do with an incident of Dr. Chapman's regime when some of the students, resenting his Federalistic opposition to the war, broke into his stable, cut the hair from his horse's tail, removed and secreted his cart, and in various little ways manifested disapproval. The Doctor not being extreme in his peace doctrines, had the students arrested. Mangum was among those who answered certain questions giving information leading to a knowledge of the guilty. The explanation given is that this group sympathized with the president and showed the effect of a political difference among the students. It may have been chiefly legend, but it persisted and was used by the Democratic papers in the campaign of 1835 in the form of charges that Mangum was a "blue light Federalist speechifier."²²

Mangum was twenty-three years old when he left the University. He had learned from other sources than the curriculum. Besides his teaching experience, he had been brought up in the country and was familiar with the varied activities of a self-sufficing farm—the planting, reaping, repairing, storing, and even the manufacturing that went on a hundred and more miles away from a market. He served as clerk in his father's country store in the days when that institution was not only store but club and clearing house of neighborhood interests. He knew likewise the community activities: itinerant preaching, the excitement of muster days, the bargaining and business of court week in Hillsboro.

²¹ Mangum MSS. Letter from S. K. Sneed, Chapel Hill, September 24, 1814.

²² *Ibid.* Letter from Jos. G. Watson, quoting editorials, Oxford, 1835.

But Mangum's interests were not those of the teacher or merchant. He had begun to find his talent in the debates with his friend Archibald Haralson at Chapel Hill, and now his friend and neighbor, Judge Duncan Cameron, one of the most progressive men in the district, became his teacher and patron in the study of law. This meant that Mangum took up his home at Fairintosh, the old Bennehan place which was now Judge Cameron's, tutored the only son, Paul Carrington, heard much political talk, and at one time or another met practically every one of consequence among the wide acquaintance of the Cameron family who was interested in politics. Within two years he was ready for his license, which was given him January 10, 1817. His apprenticeship was over.²³

III

MAKING HIS WAY

Mangum as a young advocate at the bar of the fourth circuit was an attractive figure, if we may believe his contemporaries. He was tall and commanding in appearance, with an elegance of manner and a gracious bearing that won friends for him and kept the respect of his enemies.¹ His voice had a ringing quality that commanded attention, and with his talents he soon gained a practice of great profit and reputation. He was fond of the very young, attracting them to him by his habit of defending the helpless and inexperienced and by his own love of life.²

In his travels from court to court Mangum soon added to his wide acquaintance and found himself faced with a study of the political conditions of the state and a possible career in politics. He saw the General Assembly made up of land-owners, with practically unlimited power over state officers and judges, and using half the revenue for its own salaries.³ He saw the prevailing sectionalism. The eastern slave-holding and plant-

²³ MSS. records of the Mangum family, cited in Ashe, *Biographical History*, V. 239.

¹ *Raleigh Register*, September 18, 1861. Article by W. A. Graham.

² Mangum MSS. Letter from E. G. Reade to Miss Patty Mangum, December 16, 1865.

³ House Journal, 1835, p. 101.

ing counties were in the saddle and saw no reason to yield to the West, for which they had a supercilious regard. The West, with more of the frontier spirit, was restive, having no adequate facilities for commerce, and seeing small chance of securing a change in the state constitution. Yet it had leaders. Archibald D. Murphey had presented his elaborate scheme of internal improvements and his "judicious system of public education," but they did not advance beyond a first reading in both Houses in 1817. Governors elected by the Assembly for a single term were powerless to exercise leadership. Every time the matter of education or internal improvements or amending the constitution came up, sectional differences made insufferable complications.

Entirely familiar with this interesting political situation and bound by ties of interest and feeling to serve the West, Mangum was elected in the summer of 1818 to the House of Commons to represent Orange County. He was on the Judiciary Committee, the still more important Committee on Education, and was greatly interested in the proposed plan for a constitutional convention. The chairman of the Committee on Education was Romulus M. Saunders, who was afterwards as well-known a Democrat as could be found. The time was not ripe for a system of public education to be adopted, but the Judiciary Committee, following the suggestion of Governor John Branch, did an excellent piece of constructive work in organizing the Supreme Court. In this Mangum was privileged to work with the great William Gaston, to whom most of the credit should go.

So the year 1819 began with promise. Mangum continued to practice in various courts—Greensboro, Raleigh, Franklin—traveling in an "elegant sulkey," which was as near an expensive runabout as the extravagant young man of that day could obtain. He had glimpses of fashionable society in the towns he visited and in Raleigh, where he was entertained at Judge Seawell's, he plunged, to use his own words, "into a vortex of fashionable dissipation." He could not have plunged very deeply, for he came out with no entanglements and devoted himself to his practice and plans for marriage without being

altogether unmindful of the dream of national politics, as the following letter to his brother, Priestly Hinton, shows:

Greensboro 20th April 1819

Dear Sir,

I recd. yours of last month. and paid to Mr. Selby the account against T. this had been omitted through forgetfulness until that late period. Your letter to Walter I recd. but had not had an opportunity of forwarding as early as would have been necessary to meet your wishes. I however thought of an arrangement that will probably meet your views. That is in June You will visit Orange & be at the commencement at Chapel Hill, at which time you will be accommodated, if not otherwise with my sulkey which is elegant and suited to all purposes of country life—I have been well—I have made a good deal of money this spring, say upwards of \$1900. in actual receipts, and nearly that sum in good bonds & accts. My prospects in the practice continue to grow more flattering.

You know that I have made a considerable purchase in Haywood. I think I have made more by that than all the rest of the labors of my life. I expected to see you at Salisbury Supr. Court, but was induced to go to Franklin where I did much better from a pecuniary point of view—in one case of Mrs. Patty Taylor, I have secured a fee at six months of One Thousand dollars. That's large business, is it not? and an equal share with the first in the other business of that court which is profitable.

I may be married this Summer, I am not certain because my movements have been too sluggish to ascertain—more of this when I know more. The next visit to Raleigh I mean to settle this business—You see what a romantic lover I am, speak of *settling the business*; when speaking of love how Cold, how business like, & how ridiculous. . . .

I cannot believe that my strength has at all diminished, since last year & that I could go to Congress without difficulty I entertain no doubt. The dangerous diadem has flitted before my vision & Ambition frequently lingers with delight in tracing the outline of the delusion but interest and in my opinion sound judgment forbid the thought.

Our family is well and all going well,

I am yrs

Willie P. Mangum.

The "business" of which the practical lover wrote was soon settled and marriage followed, September 30, 1819, to Miss

Charity Alston Cain, daughter of William Cain, substantial landowner of Hillsboro and generous donor to the University. Although called the "gentlest of women," young Mrs. Mangum (then twenty-two years old) was eminently practical and in her husband's absences shared in the management of his estate. She had property of her own, one deed of gift from her father being for eight slaves.⁵ Even without a dowry young Mangum could have considered himself well able to marry, since by his own account his practice was bringing him a good income.

To the dignity of marriage was added, in December of the same year, Mangum's election by the Assembly to succeed Judge Toomer on the Superior Court of Law and Equity. Tradition preserves vividly the story of intense rivalry between Judge Cameron, State Senator from Orange, whose candidate for the vacancy was William Norwood, and John Stanly, whose choice was his own brilliant young kinsman, George E. Badger. When it soon appeared that Norwood could not be elected Cameron appealed to his protégé, Mangum, who could hardly refuse his patron, and with his support he was triumphantly elected.⁶ The circumstances of the election, however, gave rise to some bitter political passages and Mangum keenly resented such personal criticism.⁷

He rode a western circuit and although he impressed those who met him by his eloquence and insight into motives and habits of thought, the climate did not agree with him and he wrote to his beloved young wife:

"I am not at all pleased with my new profession—it requires more intense labour, more awful responsibility, and indeed it is in every respect less suited to my circumstances and my disposition.

"It is not in the scope of my powers of language to describe my feelings on the first occasion that a man was tried before me for his life—For I have just passed through two trials of that awful character."⁸

⁵ Mangum MSS. Deed of gift signed by William Cain, October 21, 1822.

⁶ Tradition reported by Maj. John W. Graham, of Hillsboro.

⁷ Hamilton, *Ruffin Papers*, I. 234 Letter from Charles Manly.

⁸ Mangum MSS. Letter to Charity A. Mangum from Wilkesboro, March 20, 1820.

A month later Mangum again wrote of his ill health and added: "My labours have been most arduous, indeed the intellectual labour of this circuit for unremitted application and difficulty has transcended all that I should have performed in 12 months at the Bar."⁹ The illness which he merely mentioned was fever and ague, as debilitating a malady as it was common and difficult to prevent from return.¹⁰ So after a year of service Mangum resigned his honor and was subjected to much criticism thereby. His friends attributed his resignation (a course similar to that of Burton two years before and Toomer, whose place Mangum filled) to the great labor of the circuits as then organized or to ill health. The real reason was not referred to by Mangum himself until the confirmation of his second appointment to the bench was denied by the Assembly in 1826. In that case the opposition to him was so purely political that he took pains to write to his friend Bartlett Yancey in the Commons:

"My early resignation when I received the same appointment in 1819 will be urged against me and not without effect. I have to say to you (tho' I should scorn to enter publicly into domestic reasons for my conduct) that the disastrous turn my father's pecuniary affairs took the year after, left me to choose between keeping the appt. and looking coolly on his situation, or to abandon my station and endeavor to save as much of the wreck as would make his situation comfortable. I did not hesitate in making the choice, nor shall I ever regret it, whatever may be the effect upon my personable advancement."¹¹

During three years in retirement from office, Mangum built up his practice and estate, living in the country when at home from the courts. He was strongly advised by Priestley H. Mangum to locate at Hillsboro, first because he would advance more in his profession and toward political honor, secondly because he might be of service to his friends and especially to his brother in meeting the competition of those whom Priestley calls "starveling Virginia gentry," hungry for any office.¹²

⁹ *Ibid.* Letter to C. A. M., April 25, 1820.

¹⁰ *Ibid.* Letter from Will H. Murfee, December 7, 1820.

¹¹ Letter to B. Yancey in *James Sprunt Historical Publications*. X. No. 2.

¹² Mangum MSS. Letter from P. H. M., December 18, 1822.

A third reason might have been added in the appearance at Hillsboro of a born journalist, Dennis Heartt, a Connecticut Yankee, who, having found recovery from yellow fever slow in Philadelphia, came South looking for a healthful location and a place where he could work as printer. There were then not more than seven newspapers published in North Carolina, and so when Heartt established the *Hillsboro Recorder* in 1820 he had a wide field.¹³ He became a warm friend and admirer of Mangum and one of the most influential editors of the state. The files of the *Recorder*, which he edited for more than thirty years, are a treasure-house of local history, political information, special articles (the Murphey letters, for example) and strong editorials.

Although Mangum did not follow his brother's advice, he was not so far away but that he shared in the hospitable society of Hillsboro, was stimulated by contact with its men of affairs, and encouraged to leave his retirement. His interest in national affairs was really more keen than in state politics. The road to preferment in political honors seemed to lie that way. Mangum's course since his resignation had not weakened but rather increased his popular following, and he had powerful influences on his side urging him to enter the broader field of national politics. He had made his way in state legislation, in his profession, and in family fortune.

IV

IN STATE AND NATIONAL POLITICS

In spite of Murphey's Report on Internal Improvements and recommendations on education, no progress was being made because of the stifling political conditions imposed by the first state constitution. So long as each county, regardless of population, had the same representation in the General Assembly, so long as a freehold qualification for senatorial suffrage existed and high property qualifications for membership in Commons and Senate, the East could maintain its dominance.

¹³ From editorial in the *Tarborough Mercury*, August, 1860. The other papers of the time were at Raleigh, Halifax, Edenton, New Bern, Wilmington, Fayetteville. The editor of the *Tarborough Mercury* had been trained under Heartt.

The constitution could be amended only when amendment could be merged with some movement supported by the East. The time for this was not yet ripe.

In 1823, however, sufficient interest was aroused for a popular convention to be called by western leaders to meet at Raleigh in November. Meetings were held in various counties. At the Orange meeting Mangum addressed the people and was elected to attend the Raleigh Convention. The other delegates from Hillsboro were Thomas Ruffin, J. W. Norwood, and Michael Holt.¹ On the subject of constitutional amendment Mangum's position was clear.

To the West in general the chief purpose of a constitutional amendment was not merely for the political value of securing equal representation, but for what equal representation would secure for that section in the way of transportation. On the much debated subject of internal improvements Mangum had already gone on record in the following report:²

"Your Committee have long entertained a thorough conviction, that no system of internal improvements commensurate with the resources of the State, & honorable to the character of our citizens for intelligence & enterprise, can be effected without a general coöperation of all the parts & a liberal system of legislation. . . . The close of the Revolution found us a people essentially agricultural, in possession of a territory of great fertility, blessed with the finest climate & teeming with the richest fruits of the earth, whose broad virgin surface was but barely dotted by the cultivation of man; but in a state of entire destitution of all the facilities of transporting to market the fruits of our industry; & yet after the lapse of more than half a century of industrious toil and persevering, not a solitary work of public utility has been constructed by individual contribution and individual effort. We have seen our beloved Mother Land gradually stript of its beauty & exhausted of its fertility, scarred & deformed by injudicious cultivation, & yet by a ruinous loss of time, property & expenditure in transporting our surplus products to market but little wealth has been realized from all these labors. While our country was new & our choice lands were first opening for cultivation many large estates under all these disadvantages were realized. But the fertility of our soil overtaken as it was, waned apace, and

¹ *Hillsboro Recorder*, June 11, 1823.

² Mangum MSS. Undated, probably 1818 or 1819.

much of the wealth & enterprise of the State went to swell that tide of emigration that for the last thirty years, has set beyond the Alleghanies to newer countries and in more favored commercial positions.

"Our condition for nearly thirty years, has gradually become worse & worse, & mainly if not almost entirely on account of the want of commercial facilities—& yet no effort has been made by individuals, to retard this downward course either honorable to ourselves or worthy of Commemoration.

* * *

"Your Committee reiterate their solemn conviction that no work of internal improvement in any portion of the State of much magnitude & public utility can be begun, prosecuted & completed by the unaided individual efforts of our citizens. . . . In this state of things the appeal comes direct to our interests, to our love of Country, to our sympathy in all that touches the dignity, the honor, the character of the land of our birth & the home of our affections, to make one great, united & manly effort to bring our Country to that high position of honor & prosperity & happiness which is unquestionably attainable.

"The people of North Carolina hold their destiny in their own hands.— It is but for them to will it, & this once lovely & prosperous land will again smile in its loveliness, & spread its sunny bosom to the eyes of its children covered with abundance.

"Stimulate the activity & industry of our citizens by conferring on them the legitimate rewards of & a renovation of our condition may be witnessed in every direction.—It will be seen on the face of the country, in the multiplied comforts of social life, in the general diffusion of education, and in the improvement & elevation of our intellectual & moral condition. . . . It is for the people of North Carolina to *will it*, and they may reach forth their hands and pluck plenty and abundance."

So in state politics Mangum was already acknowledged one of the leaders of the West, voicing its struggles for equality of representation, a revised constitution, and internal improvements. In national politics he had yet to find himself. The old conflict between Federalists and Republicans had not been forgotten altogether, but Gaston, the leading Federalist, had withdrawn from national affairs and Nathaniel Macon was dominant. Macon was a great friend of Bartlett Yancey, who

was a disciple of Murphey, and devoted to the same interests of education and internal improvements. The year after Yancey had presided at the Raleigh Convention of 1823, Macon, who distrusted Yancey's ideas of progress, wrote to him: "If Congress can make banks, roads, and canals under the Constitution, they can free any slave, so I long since have told you, and I formerly told Calhoun, and often I believe in your presence and that of others."³

The immediate needs of the state did not concern Macon so much as national questions. He would have preferred his section to remain a simple rustic community and he regarded federal aid to a road or canal such heresy as pointed to the downfall of the constitution and the decay of the republic. Four years before his retirement, when Congress passed an appropriation bill for the Chesapeake and Ohio Canal, he is recorded as saying: "I rise with a full heart to take a last farewell of an old friend which I have always loved and admired—the Constitution of the United States."⁴ This was the man who for thirty years was a power in national politics, and a moulder of opinion in his state.

The first announcement of Mangum's purpose to enter national politics appeared in the *Hillsboro Recorder* of June 4, 1823. He was opposed by a practical politician, Gen. Daniel L. Barringer, but he had already learned how to appeal to a popular audience. The district was seething with feeling over amending the state constitution. Mangum had a record on that subject and made use of it to aid him in his candidacy.

Electioneering was not less heated then because of the lack of press agents and propaganda. These were not so useful where very few men in a popular audience took a newspaper and every third man could not read.⁵ Electioneering was active in any case, but when Gen. Barringer went so far as to make political charges against Mangum one Sunday at the "spring at Hepzibah meeting-house," the result came near being a duel. It appeared from a hand-bill soon scattered everywhere that

³ Letter from Macon to B. Yancey, December 26, 1824. Copy in Mangum MSS.

⁴ Quoted in Dodd, W. E., *Life of Nathaniel Macon*, p. 345.

⁵ Coon, C. L.: *Documentary History of Public Education in North Carolina* II, 857-865.

the two candidates had agreed not to electioneer further in Wake County. When the breaking of this pledge by Barringer was reported to Mangum, he issued a hand-bill explaining his inability to break a pledge by going before the people again, but attacking Barringer for inconsistency in now saying he was opposed to a constitutional amendment. Whereupon Barringer replied in a similar circular, charging Mangum with similar inconsistency, "trick and strategem."⁶

The threat of a duel came not with Barringer, but with Henry Seawell, of Raleigh, who was charged with aiding in the preparation of Barringer's circular. Warm letters were exchanged, but friends of the principals exerted themselves (Samuel Hillman and Robert Potter, for Mangum, and William Robards and James F. Taylor, for Seawell), more notes were exchanged and it finally was established that Seawell had meant no disrespect and that Mangum's remarks were due to a mistaken impression and peace was restored.⁷ Meantime the election returns showed Mangum's victory by 964 votes. He could afford to be generous.

A new era was beginning, and not alone for Mangum. The *Raleigh Register* was publishing the strange news of the incorporation of an "Iron Railroad" from Philadelphia to Columbia on the Susquehanna, shares, \$5. each.⁸ But when Congress met, it debated the tariff and gossiped about the presidency.

Once having arrived at Washington, which he reached by stagecoach through Petersburg and Richmond, Mangum found himself in congenial surroundings. He was young, enthusiastic, and ambitious. He was a genial and charming companion, entering into warm friendships with Macon and Calhoun and retaining the regard of those of widely differing sympathies. He considered Washington very gay, the manners of the "saucy minxes" deplorable, and attendance on "routs" at late hours a custom for stern resolution to avoid.⁹

The burning topic of Mangum's first term was the tariff. He took a conspicuous part in the debates, voting against the

⁶ Mangum MSS. Copies of circulars.

⁷ *Ibid.* Letters from Mangum to Henry Seawell and Wm. Robards, and to Mangum from Henry Seawell, September-October, 1823.

⁸ *Raleigh Register*, August 22, 1823.

⁹ Mangum MSS. Letters to Mrs. Mangum.

Tariff of 1824 and also against federal aid for internal improvements. His committee memberships were on Commerce and that which paid a generous tribute to LaFayette for the sacrifices and services he rendered during the Revolution. Without the originality and interest in constitutional theories of Macon, it is more than likely that Mangum was more representative of his state, had a fuller understanding of its needs, and came to act as an interpreter of his constituents to national leaders. Yet he was as firm as Macon in opposing federal aid to internal improvements and as hostile to the tariff. He was not parsimonious, and let Macon stand alone in opposing by a solitary vote the appropriation for LaFayette's reception.

In the presidential contest of 1824, Mangum stood out for Crawford. He was in continual correspondence with his friends at Hillsboro and Raleigh. The following letters to Thomas Ruffin and Seth Jones indicate his position. Judge Ruffin was a Crawford elector and Mangum had expressed himself as "surprised and mortified" that James Mebane had consented to hold a poll for one of the Calhoun electors.¹⁰

I have written Mr. Mebane at great length on the Presidential election two or three times, and labored to convince him that whatever might be the success of Mr. Calhoun in North Carolina, he stands no chance of ultimate success, and that division in the South will very probably secure the election of Mr. Clay. . . .

Touching the result everything is in doubt and uncertainty. That Mr. Crawford is intrinsically stronger and considerably stronger than either of the candidates cannot be questioned. But that Mr. Calhoun cannot succeed I take to be equally certain. Mr. Adams is evidently on the decline. . . . Mr. Jackson is more caressed than all of them here—and is rapidly gaining ground, and could without doubt get Pennsylvania, if she did not think her vote would be thrown away. . . .

Since my arrival at Washington I have become more and more convinced in the belief that the best interests of this nation require the elevation of Mr. Crawford to the Executive Chair. . . . It seems to me that it cannot be doubted that the present fashionable ultra republicans have gone much further than the sound Federalists of the old school, and that Mr. Cal-

¹⁰ Hamilton, *Ruffin Papers*. Vol. I, 287. Letters from Mangum, January 20, 1824.

houn is at the head of the new school cannot be questioned. I do not believe that there is an intelligent Federalist in No. Ca. that upon his own principles can keep pace with the new school republicans. The new school press their principles much further. I mean on the subject of internal improvements etc., and especially in a latitudinous construction of the constitution generally."

And thus to Seth Jones:

Since my arrival here I have felt alarm at the splendid and profuse policy that would characterize the administration of either Clay or Calhoun—and Mr. Crawford I think is decidedly preferable on the score of being a sounder constitutionalist, but also inasmuch as there can be no doubt, that his administration would be marked with more economy & more rigid accountability.—Gen. Jackson with all my objections to him, I should prefer to Mr. Calhoun who seems to be a favorite in your country—

Of the course of legislation in the state Assembly, Mangum was kept fully informed. His brother dismissed the subject with the comment that valuable business was rejected as usual,¹¹ but according to James Mebane, aside from prejudice and illiberality, the presidential situation was made to bear on legislation to such an extent that Crawford men would not vote for a bridge over the Roanoke at Halifax, because Calhoun men were for it.¹²

Much more surprising was the swiftly changing sentiment for Jackson in North Carolina, early in 1824. In December of 1823 Will H. Haywood, Jr., who was at some pains, he said, always to judge correctly, estimated that the Crawford men in the Legislature were in a decided majority; a month later Will Polk inquired of Mangum a statement of the standing and expectation of the candidates in Washington, and informed him that Jackson support was gaining by wide dissemination of pamphlets; at the same time Priestley Mangum warns his brother that in the estimation of the public he stands pledged to Crawford and should not be so unwise as to change; in March, after the Crawford caucus, Jackson is reported as stirring things up in North Carolina, but Crawford men depended

¹¹ Mangum MSS. Letter to Seth Jones, February 11, 1824.

¹² *Ibid.* Letters from Priestly Mangum, January 24, 1823; James Mebane, December 19, 1823; Will H. Haywood, Jr., December 20, 1823; Will Polk, January 26, 1824; Michael Holt, March 23; and Will H. Haywood, Jr., April 17, 1824

much on Mangum to serve their cause; finally, Haywood predicts, "If the vote of No. Caro. will secure the election of the Gen'l he may calculate on it and we may begin to prepare ourselves for it— This is no party feeling or prejudice."¹³

Mangum's stand on the tariff and his efforts to please his constituents in securing additional mail routes and sending them information on national issues put him in a good position for making the race for reelection in 1825. The extension of mail routes did an incalculable service in increasing the general intelligence of the district. As one earnest applicant wrote: "I am very fond of reading the papers. But when I don't get them for two or three weeks and then sometimes not at all, and sometimes all in a lump they are of but little satisfaction, and to send 8 or 10 miles upon an uncertainty is rather too severe."¹⁴

However this time Mangum's opponent was the popular preacher, Josiah Crudup, who could campaign seven days a week. He had a large following in the country and even Mangum's popularity and understanding of the countryside were hard put to it. When the returns were in on August 16, Wake County had given Crudup a majority of 961, and Person and Orange were for Mangum by a majority of 1017.¹⁵ Mangum said himself that Crudup gained more votes by his sermons than by daily campaign speeches. Both orators played upon the feelings of their audiences, making them weep and laugh in turn. They were about evenly matched in persuasive power, but Crudup had the advantage of a preaching appointment in a populous neighborhood on the last Sunday of the campaign. A rain kept the preacher away¹⁶—and Mangum's majority was 57 votes!¹⁷

Not all the Jackson men voted against Mangum, many of them agreeing with Caldwell who wrote him:¹⁸

¹³ *Ibid.*

¹⁴ *Ibid.* Letter from J. J. Carrington, January 12, 1824.

¹⁵ *Raleigh Register*, August 16, 1825.

¹⁶ Mangum MSS. Letter from E. G. Reade, recalling Mangum's conversations on the campaign.

¹⁷ *Raleigh Register*, March 25, 1825. Crudup's majority in Wake County was partly due to his great personal following there but also undoubtedly to Mangum's attitude against Jackson. And this result in Wake was in the face of support from the *Raleigh Register* which said: "... no young member has ever made better use of his time, both in acquiring political knowledge, and applying it to public usefulness."

¹⁸ Mangum MSS. Letter from D. F. Caldwell, Raleigh, December 4, 1825.

"Altho' I supported Genl. Jackson, I cannot yield to the position, that Congress on a great National election or question, is bound by every wild and indiscreet expression of public opinion. Whether the votes for the Gen. in the electoral colleges be such is not now necessary to determine. In the abstract you were correct (in supporting McLane from Delaware) and the contrary in my opinion would put an end to our Government.

Much to your credit, you hazarded your popularity & ran the risk of being swept out of view by public indignation. I know of no event in your public career, which has elevated you so much with the reflecting men of North Carolina.

As a republican, for such I hope we all are, I have a due respect for a fair expression of public opinion, but I cannot assent that Congress or the Legislature shall be degraded into a set of demagogues."

Returning to Washington, Mangum observed that President Adams had set up a "splendid court in a style superior to Mr. Monroe's" and although he was soon given the honor of dining at the White House he had no leanings toward the administration. He disapproved its principles from the beginning and was the first of the opposition to speak in the House against it.¹⁹ His letter to Bartlett Yancey describing the situation and Yancey's reply deserve to be given in full.²⁰

To Bartlett Yancey

Washington 15th January 1826.

My dear Sir:

Your favor written while you were at Raleigh has been long since received; and I should have acknowledge it before this, but that I had hoped something would have presented that might be of some interest. The session has thus far gone on smoothly with very slight exceptions; and nothing has occurred upon which the strength of any might be distinctly known.

The Creek treaty seemed to excite most interest upon the meeting of Congress—but the final developments have been unaccountably delayed; and the public interest on that subject seems at this moment to have subsided.— It is believed that the administration are unwilling to drive that subject to extremity, if it can be consistently avoided.— The Hostiles as they are called and the McIntosh party are each represented at

¹⁹ *Ibid.* Letter to his wife, December, 1825.

²⁰ The original of Mangum's letter is in the possession of the University of North Carolina; that of Yancey is in the Mangum MSS.

Washington by a delegation of 15 or more of either side.— Before Christmas the administration proposed to the Geo. delegation an extinguishment of the Indian title by a new treaty to a river the name of which I don't remember, leaving to the Indians perhaps one-fourth of the lands they now possess.— The Geo. delegation declined the offer, upon the ground that they were invested with no authority to make any compromise; and upon the additional ground that the former treaty, as they insisted was good and obligatory. The delegation were then notified that the President would send a message to Congress on the subject in the first week in January. This however has not been done— nor are the members at Dawson's, Cobb and Merriweather, able to account for the delay, except upon the supposition that they are endeavoring to negotiate a new treaty, so as to avoid the excitement anticipated upon the discussion.

Some of the Georgians—Tatnall, for instance—is prepared and I believe determined to drive to extremities any affair that could be got up on the occasion.— During the last week we have been discussing a bill of proposing to add three new judges to the present Supreme Court, and the whole weight of administration is thrown into the scale in favor of the Bill—Though for 6 or 8 years the bill of a similar character, though not going to the extent of this, has had no prospect of success— But now by the aid of the eastern people I doubt not it will pass by a large majority.

That subject is the only one that has called up any disagreeable retrospections— and I have been the unfortunate wight first to broach these subjects.

I felt so indignant at the miserably corrupted policy as I believe it of the Yankee nation that I could not refrain from giving them a touch— I expect to be scaled— but I will come out of it as well as I can.— Sir, this administration I verily believe will be conducted upon as corrupt principles, indeed more corrupt, than any that has preceded it.— Bargaining and compromise will be the order of the day— I came here hoping that I might be able to lend to it a frank support— The Crawford party will have to stand aloof, they will not be able I fear to support this administration; and the alternative as yet presented— is perhaps still more objectionable.— I mean to stand aloof from all political connection having relation to the next presidency— and support or oppose, according as my best judgment may dictate in each particular case.— The proposed constitutional amendments will probably occupy much time— and upon one point I have not made up my mind. I should be obliged to you for your views on that point.— I am in favor

of uniformity in electing electors, and would at present prefer the district system.— But as regards taking the election, in the event the people fail to give a majority to one candidate, from the House of Reps.— is the point upon which I have great and serious doubt.

In the first place, it will not do in my opinion to let a plurality elect—for the govt. would not be able to get along with a majority against it.— If then the point has to be settled by some tribunal—cannot the judgt. and discretion of the H. of Rs. be more relied upon than the electoral colleges.— For in either case a compromise would have to be made and which body is most to be relied upon?— Again I think it desirable to retain *Federal* features of the constitution undefaced— and resist the tendencies to consolidation. The equality of reps. in the senate is the strong and strongest Federal feature— another is the *equality of the sovereignties* in the election of Prest. in the event of failure by the people.— Abolish that, and is it not an approach towards consolidation?

I know that the public sentiment is at this time in favor of destroying that feature— But temporary resentments resulting from disappointment in a favorite object, ought not to prevail in making great fundamental changes, and the Representative is not worth a fig who in such a case does otherwise than he thinks right.

I take it that the destinies of No. Carolina will cast her lot with the small states— though in population and territory she is such as to give promise of better things— yet her exclusion from commercial importance, will contribute powerfully to give her an interest in common with, tho' not the smallest, yet with the smaller states.— She has no political end to gratify— her interest in that should go on calmly and smoothly—should she not therefore endeavor to preserve and keep up the weight and importance of the smaller states? I should like to have your views on this subject.— I am the only one perhaps opposed to it or doubting about it in this H. of Reps.

The present Congress will be administration.— “The powers that be” have been gaining strength I should imagine.— Our friend Lewis Williams goes in deep enough.— The thought, you know, of Gen. Jackson is to him gall and bitterness—and I fear that sentiment may serve him too far. As regards Gen. Jackson, I am sure he has made his best race and that the “powers that be” have little to apprehend from that quarter.— Lewis however is no half way man— he is against Jackson, and therefore permits himself when there is no necessity for it, to be for Adams.— For it is clear that this adm. has but few sentiments or political subjects in common with

him.— The other day when I had made a feeble set at the new Judiciary Bill Lewis made a long speech, and at every step spoke at me.— It was all done however with good feelings— and as he said in self defence.

Judging from what I can learn here, I presume that Mr. Adams will be reelected easily— unless some northern man shall come who can carry the South— and whether Clinton could or *ought* to do so, must depend upon further developments.

Our old friend Mr. Macon has been in worse health this winter than I ever knew him to be.— He has had very violently, and still has with diminished violence, the influenza, which has prevailed here with unusual severity. I believe the old gentleman sometimes thinks seriously of quitting.— He has not recovered I think from the shock produced by the death of his daughter.— Mr. Clay has been in very bad health, he is better however— and has resumed his old tricks of managing occasionally.

My confidence in him has been a good deal impaired by a circumstance, which I will mention to you *in confidence*.— He expects that his course in relation to the presidential election will be *severely* handled in the discussion of the proposed amendments of the constitution. Gen. Vance of Ohio, with whom I have been upon terms of great intimacy since our first acquaintance, told me some time ago, that in the event any reflexion should be cast upon their party in the debate— they had determined to propose another amendment-to-wit, that the weight 3-5 of our slaves shd. be no longer operative in that election— indeed to abolish that feature of the compromise. He further informed me that he was *fixed upon* to propose it— he held the conversation with me to prepare my mind for it, that I might not be taken with surprize. Now from the known confidence existing between Clay and Vance I can not doubt (tho' not so informed) that Clay was at the bottom of it.— Indeed he is the only man among them of *boldness* enough to go that length and touch that delicate subject.— Now sir, any southern man, who is capable of touching that subject in that manner, and at a moment when there is so much known feeling upon the subject to the north ought to be—and is reckless of everything to gratify a bad ambition. Indeed Clay perceives that he has but little to expect from the South—and by a movement of this kind he may effectually secure the north.— Pennsylvania *perhaps inclusive*.— For it is clear that the Jackson fever has abated very much with that delegation. That communication produced great effect upon my mind, and accounts in some degree for the raps I gave them the other day.

Mrs. Adams gives splendid levees— and John II is quite republican in his manners.— Mr. Calhoun gives his dinner parties.— I had the honor of being noticed by him quite early.— and what do you think he said to me when leaving him.—holding my hand “Mangum, Mangum, do-do Sir call and see me frequently and spend some of your evenings with us—without ceremony—come sir. We shall always be glad to see you, and bring any friend with you.”—Ah, Sir! he knows a thing or two. It is in that way he sweeps the young fellows.

He is a great friend to the North State, as Mr. Macon calls it. Haven't you seen how some one of his friends, Hayne it is believed, has taken his pen to defend Mr. Calhoun and laud Mr. Macon?— He is in the Senate every day, talks a great deal about paying off the national debt immediately.— I should like to know whether a reduction of the expenses of the army establishment and the consequent reduction of the patronage of that department would be as bitter a pill to him now as formerly.

He may be considered as entered for the success stake if not at the next races, certainly at the second.

It would make you laugh heartily to hear Gov. Barbour speak of the labors of his department. You know him I believe. You know he is a man of words but not a business man.

He says he sits down to make estimates on the subject of some fortification— he scarcely gets under way before he is applied to and urged about a pension— and every pension case is a suit in equity— he hardly begins before some would-be cadet is introduced and breaks off the train of his reflections— he returns to the subject again and before he can collect his thoughts some damned dispute about brevet rank is submitted to him, about which he knows nothing— and he hardly gets under way in examining the usages of the Govt, before some of the Tustanagees (title of Indian Chiefs) are thrust upon him and before he can get his maps and “count the broken sticks” some damned fellow turns him somersets into a canal— and after the day spent in these perplexities next morning he begins again without having advanced a step upon any one subject.

His account of his perplexities are truly ludicrous— but he says a purchaser *with notice* ought not to complain.

Mr. Gaillard has been very dangerously ill. He is recovering I hope.

Mr. Randolph seems very much gratified with his election to the Senate, and will I expect become for a while an industrious member of that body.

I believe I have sufficiently tested your patience. It being Sunday night and having little else to do— I have indulged the cacoethes sufficiently.

I shall let you hear from me occasionally and hope you will reciprocate.

Accept assurances of my regard.

Willie P. Mangum.

Bartlett Yancey, Esq.

To this Yancey replied :

Caswell 25th. Jany 1826.

Dear Mangum—

Yours of the 15th has been recd.— It gave me great satisfaction, affording a much more detailed account of matters and things than anything I have recd.

Knowing as you do my opinion often expressed in favor of the principle of our Supreme Court, over the former system, it will readily occur to you, that I should be opposed to the Judiciary Bill now before you— The principle is the same, and I am opposed to any set of judges acting in the Circuit Courts & on the Supreme Court Bench on the same cause. The Supreme Court of the United States ought to consist of 5 judges and the Circuits ought to be increased in proportion to the wants of the country— I am very much inclined to believe with you, that the present apparent want, is of a temporary kind— perhaps two more Circuit Judges would be sufficient.

On the subject of the amendment to the Constitution as respects President and Vice-President, my opinion is, that you retain 1. the Electoral College and 2ndly the District plan, it is not very important as to the third principle, whether the election be made by the House of Representatives or the Electoral College. If our colored population be not taken from us by the force of usurpation; I believe that our State, though She will not be the largest, will continue to class, as one of the *large* States. Improvement in our state for the next fifty years, will increase our relative population, and we will then be comparatively to *all* the other states of the Union, as great a state as we now are; I think therefore upon the sheer score of interest an election by the Electoral College, instead of the House of Representatives, in the last resort, might suit our State. But my opinion on this question is founded upon purer principles and higher ground, than the merely numerical chances of interest in the election of President. The Constitution of the United States was formed upon liberal principles of compromise, and with a view to the benefit of *all* the States, by which it was formed, and for the common good. In its formation there were two principles ingrafted into it upon principles of Compromise, and without which it cannot be said with truth this day it would have been adopted at all: The first is, that, to the small States, was given an equal representation in the

Senate, & in case the election of President & Vice-President was not made by Electors, that the small States by vote, in Congress, should have as much power in the election as a large State. The second principle of Compromise was that States which held slaves should have $\frac{3}{5}$ of them Represented & that the taxes apportioned to the States should be in proportion to Representation, and that Congress should exercise no power over slaves, or the rights of their owners to them: the latter clause is not inserted in the Constitution, but results from the clause that all power not given to Congress is reserved to the States, or the people. Now if the large States shall, when they have acquired sufficient political power, so amend the Constitution as to abridge the small States in the election of the President, what can we of the South say to those *pretended* friends of humanity, who prate so much about slavery, and the necessity of altering the Constitution so as to prevent the representation of $\frac{3}{5}$ of our colored population, in the House of Representatives. The fact too, that the election of President by the House of Representatives, is one of the strongest features of Confederation in the Constitution ought not be forgotten. The tendency of the general government is towards Consolidation: a tendency greatly to be feared, for as Mr. Clinton in his message lately published, declares, upon the rights of the States being maintained, & the principle of Confederation preserved, depends the freedom and permanency of our government:

Against the mode which has been suggested of direct vote by the people, I am entirely opposed— all the South are and will be opposed to it, when properly understood. It will force the government as respects the President, directly into a Consolidation: from which good Lord deliver us of the South.

I should not be at all surprised if the proposition you mention as coming from Gen. Vance, should be made— as a Southern man I wish they may make it: they can stand no possible chance of carrying it in the Senate, and I should like to see a vote on it in the House of Representatives. It would serve to produce a state of feeling in the Southern States, which I should like to see; for depend upon it, in the South, especially in this State and Virginia we are not sufficiently roused upon the subject of securing and maintaining our rights in our coloured population. The infernal spirit of emancipation, generated by colonizing & emancipating societies is greatly felt in this State, and so is free negro suffrage in many counties & almost all the towns. If the people of this State are not more awake to their rights and interest on this subject, a few more years will produce an influence here, greatly to be lamented & feared—Such

a proposition to amend the Constitution will have a salutary effect: In the discussion in the legislature, upon the Bill to prohibit the migration into the State of free negroes, Stanly supported the principle of the proposition of Mr. King, openly in debate, declaring "that negroes had the same God, & the same Redeemer the white has," which though literally true, serves to show the slang employed on the question.

If the spirit of our State, this seen here, be not aroused upon the subject, so as to enable us to adopt a measure by which our State can protect itself against the common & constant influx into it of free negroes from Virginia, Georgia & South Carolina, we shall indeed become the common receptacle of all the vice & villany from that sort of population. As therefore I should like to see good grow from evil I should like to see the proposition of Gen. Vance made.

With you I fear, that this administration is to be one of *Contract*. To me it is certain, that the great & national interests of the South are not to be fostered either by this administration as (or?) one formed by the partizans of Gen. Jackson. The policy of our State is, to throw itself into the scales of neither—approve what is manifestly right by permitting it to receive our votes and condemn what is wrong in the same way— Attach ourselves to neither party—stand aloof—look on & see the prospect before us— If I am not very much mistaken, before the termination of three years, we may find a man in one of the middle States, as far north as New York, who will meet the present incumbent with success— he should not be brought on the turf too early— He may not suit us, as well as some others, but much better than Adams or Jackson— Let these friends however, *now* wage the war, but let the South stand by as neutrals—

Upon the whole therefore, my opinion is, as regards the amendment to the Constitution, the plan first proposed by *this* State, to lay the Union off into districts of territory contiguous & convenient, is the only alteration necessary and proper. It is one this State at first proposed with great unanimity in the legislature & one which is popular with the people all over the State. It is one our Representatives know not only agreeable to the legislature but also to the people— It preserves the Original features of Compromise; which the South ought always adhere to, & by giving it our support, we shall increase our claims on the influence of the small States to oppose the other principles of Compromise which will shortly be opposed from the North.

Very respectfully yr. friend,

B. Yancey.

After his opposition to the administration on the Judiciary Bill and on the question of sending representatives to the Panama Congress, Mangum was silent for the rest of the session. He was restless and unhappy,²¹ perhaps over the decision which had to be made of accepting a possible appointment by Governor Burton upon the resignation of Judge Frederick Nash of the Superior Court. Afterwards he wrote to Yancey referring to this appointment:²² "My mind was made up in the summer to accept the appointment if conferred; to devote my best exertions to the public duties; to turn my studies exclusively to the law; to endeavor to obtain as respectable a standing as my ability would admit; and to enter upon these duties as a permanent business."

A storm of criticism arose when it was not known that Mangum had resigned from Congress, and he was supposed to be deliberately withholding his resignation.²³ Party division was appearing, and in Washington there was a violence of feeling²⁴ which was reflected in the state. The appointment, made in August, 1826, was an adinterim one and when the Assembly met in December sectional politics prevented Mangum's confirmation. He was not unprepared for this and accepted his defeat with fine dignity.

Nathaniel Macon was one of the first to express regret at this turn of the political wheel and in a long letter he repeated his firm conviction that the treasury would be empty (it was his statement that the constitution was buried in 1824) before the next election and the United States would go to ruin by the same route as governments of old—that is, from debt and extravagance.²⁵

Mangum had perhaps been the more willing to retire from Congress because he was so opposed to the administration and not very well pleased with the prospect "that the members of Congress from the south of Washington" would . . . "unite to put down Adams, & if they can get no better, they will take

²¹ Mangum MSS. Letter to Mrs. Mangum, March 13, 1826.

²² *Ibid.* Letter to B. Yancey, January 27, 1827.

²³ *Raleigh Register*, September 19, 1826.

²⁴ Mangum MSS. Letter to Mrs. Mangum, April 16, 1822.

²⁵ *Ibid.* Letter from N. Macon, January 14, 1826.

up Gen. Jackson for that purpose."²⁶ The inevitable happened and Gen. Jackson was "taken up." Mangum was one of the electors on the Jackson ticket²⁷ and there was harmony in the Republican camp. Other Jackson electors were Montford Stokes, John M. Morehead, Richard D. Spaight, E. B. Dudley, and Josiah Crudup, while Mangum's friends on the Adams ticket included W. A. Graham and J. W. Norwood. The former Crawford men had divided, Macon joining Mangum in support of Jackson, but Gaston and others such as David Caldwell, Lewis Williams, and Jonathan Worth had formed a strong Adams group. The Jackson electors were nominated by district conventions under direction of a legislative faction, while the Adams men held the first state party convention in the state at Raleigh in December, 1827.

With the meeting of the General Assembly in 1828 there was Judge Toomer's resignation to be acted on. Conditions had changed within two years: there was no possibility of the coalition of groups to elect one judge from each section by the two combining, as there had been before.²⁸ Mangum was elected without opposition or rival.²⁹

Once more Mangum remained on the bench little more than a year. A new era in politics was beginning. As a Jackson Republican he might play too large a part in national affairs to be allowed to remain at home. He had hardly received his commission from Governor Owen, January 12, 1829, before he was being considered for the United States Senate—another rôle, and destined to be the leading one of his life.

V

IN THE SENATE. 1830-1836

As a Jacksonian Republican Mangum might have been elected to the Senate instead of to the bench in 1828, when the venerable Nathaniel Macon was retiring. Six months before the Legislature met he was advised of this possibility by a letter

²⁶ *Ibid.* Letter to Mrs. Mangum, April 8, 1826.

²⁷ *Raleigh Register*, December 5, 1828.

²⁸ Mangum MSS. Letter to B. Yancey, January 27, 1827.

²⁹ *Ibid.* Letter from Jas. Martin, Jr., December 26, 1828.

from his good friend, Thomas Jefferson Green, of Warren: "If you could have a desire to return to the federal city in a higher character than when you left it, *go* to the next legislature a member. A word to the wise is sufficient."¹ Macon resigned in November 1828, but Mangum, according to tradition, withheld his name in favor of James Iredell, although it appears that he might have counted on the support of the Eastern Republicans who had taken up Jackson enthusiastically.

Iredell's election was simply for the unexpired term of Macon and when the election for the full term came up in December 1830, Mangum was considered by his friends the most available candidate to meet the "Spaight faction," led by R. D. Spaight, Charles Fisher, and Joseph H. Bryan. State factions were not yet divided on national issues, but were still formed on sectional lines or around individual leaders. There was considerable rivalry among factions for the right to nominate the winning candidate. The Spaight faction was so well disciplined that it could be beaten only by dividing it and this was done from within, chiefly by the friends of Governor Owen and Judge Donnell. Friends of both Mangum and Owen foresaw that the result would be the defeat of Owen for Senator by Donnell and by Spaight for Governor—a catastrophe in their eyes not to be endured.²

At this juncture Mangum's friends, Charles L. Hinton and W. M. Sneed, acted for him, since with all their urgent pleading reinforced by R. M. Saunders, a Spaight adherent, Mangum refused to appear in person. Both Owen and Donnell men signified their willingness to vote for Mangum if their own candidate could not succeed. Owen's friends first agreed to the nomination of Mangum, but were delayed by Hinton, who hoped to unite the two factions in support of his friend. The result was that Mangum's nomination was made by a Donnell follower and the Owen men were enraged. For a time Owen led in the balloting and Sneed wrote: "All is over. Nothing can prevent Owen's election. I wish to God you had come."³ By postponement, however, and the renewal of

¹ Mangum MSS. Letter from T. J. Green, May 24, 1828.

² *Ibid.* Letter from W. M. Sneed, November 18, 1830.

³ *Ibid.* Letters from C. L. Hinton, W. M. Sneed, R. M. Saunders, December, 1830.

friendly relations with Owen's supporters, the seventh ballot gave Mangum the victory. The vote stood: Mangum 103, Owen 84, scattering 8.⁴ Three days later Mangum's resignation as Judge of the Superior Court of Law and Equity was accepted and his final choice of political instead of judicial interests was made.

The misunderstanding with Governor Owen came near having serious consequences, for without direct communication each misunderstood the other and, according to Hinton, some of Mangum's friends did him an injury by over-zeal, so that he was grossly misrepresented.⁵ Owen took the only note he had from Mangum to be in the nature of a challenge and chose Louis Henry to represent him. Mangum declared that the idea of a duel had never entered his head and would indicate a total disregard of his judicial station and the moral sense of the community, but that he had attacked Owen for his political principles and wrote him because he did not wish to "strike a blow in the dark."⁶ That one of the bloodiest duels of the decade did not result was due to Mangum's good sense, although the friendly mediation of D. F. Caldwell and W. M. Sneed doubtless helped.

The twenty-second Congress in which began Mangum's senatorial career, was destined to be memorable. There was Calhoun presiding in the Senate, and on the floor, Clay with undimmed ambition, and Webster, at the height of his power in debate. Besides the great triumvirate there were Marcy and Silas Wright from New York, Clayton from Delaware, Tazewell and Tyler from Virginia, Hayne from South Carolina, Forsyth from Georgia, William R. King from Alabama, Hugh L. White from Tennessee, and Thomas Hart Benton from Missouri. Two years later Mangum's good friends, Preston of South Carolina and Buchanan of Pennsylvania, joined the list of notables. Although it was not so brilliant, the House, too, was not without distinction, for J. Q. Adams and John Davis were there and from Tennessee James K. Polk and John Bell.

⁴ *Raleigh Star*, December 9, 1830.

⁵ Mangum MSS. Letters from C. L. Hinton, December 2, and R. M. Saunders, December 3, 1830.

⁶ *Ibid.* Letters to Gov. Owen, Owen to Mangum, and D. F. Caldwell to Mangum, December, 1830.

Two years later Millard Fillmore and Franklin Pierce arrived, to make the number of future presidents then in Congress five. It was an interesting time to be in Washington.

From his previous residence and service Mangum had the backing of a reputation for skill in debate and for genial charm in social intercourse. He would need all his talents now, for the problems soon to be before the Senate were likely to disrupt friendships and increase party feeling. New party lines would come out of debate on the financial system, the disposition of the public domain, and the adjustment of an iniquitous tariff, but chiefly from the hue and cry of Nullification and the extent of executive power. Mangum had not accepted Jackson with enthusiasm and it would be easy for him to join the opposition.

Mangum reached Washington without travelling all the way this time by stage-coach. The trip required six days and was not without its trials:⁷

"I have arrived at this place safely, though detained on the road & disappointed in several of the mail arrangements. The day I arrived at Oxford, I sent home my horses immediately—But learning afterwards that I should have to travel in the Stage all the night of Monday to get to Roanoke, I hired a sulkey & two horses, & on Monday traveled 47 miles to Monroe on Roanoke, where I slept Monday night, & on Tuesday morning got into the stage & traveled without stopping until Wednesday night to Potomac Creek, where I was detained more than a day. The old boat had burst its boiler—The new boat had not got on that line—And the only one to be used was a very large & old steam boat, which could not get up Potomac Creek, the tides being very low—at length however through snow and ice I got here yesterday. . . ."

"Things have changed a good deal since I left here"—he adds again, "The new canal which is making through the City, with other causes, have carried the most of the business, fashion &c. from Capitol Hill to Pennsylvania Avenue & other portions of the city."⁸

Mangum adds, however, that he was growing too old (he was almost forty!) to care for the stream of fashion. He settled down in a small mess with General Samuel Smith of Balti-

⁷ Mangum MSS. Letter to Mrs. Mangum, December, 1831.

⁸ *Ibid.* Letter to Mrs. Mangum, December 8, 1831.

more and four others. It seems incredible to read in Mrs. William C. Preston's diary of the speech of the men of the Capitol: "All our mess, even my husband, interlards his conversation with vulgar oaths."⁹ And this was one of Mangum's best friends, one of the finest and most courteous of senators!

The new senator had not been in Washington long before President Jackson undertook the super-executive task of championing Mrs. Peggy Eaton and requiring her social approval by the ladies of the cabinet family. The immediate result was the dissolution of the cabinet and a revelation in the press. Governor Branch, a distinguished North Carolinian who had resigned as Secretary of the Navy, made no reservations in his letter of explanation upon his return to the state.¹⁰ Many of his fellow-citizens were convinced that Jackson was an alarmingly obstinate man bent on using his executive power according to his own pleasure or as he was influenced by those who could use him for their advantage. Good Federalistic Jacksonians like Badger, who had prepared campaign documents in 1828,¹¹ were at once alienated. Mangum was so disgusted at the situation that he despaired of the government, which he described as a joint stock company for the distribution of patronage.¹²

His old colored teacher, John Chavis (now almost too feeble to teach and soon enjoined by legislative action from preaching) urged him to put on again his "full coat of Federalism" and "not only support the election of Clay, but go forth to Congress with a full determination to support the renewal of the United States Bank, to trample under foot the doctrine of Nullification, to support Internal Improvements and to support the Tariff in its main bulwarks."¹³

An opportunity to act on all these questions was to come Mangum's way, but he never "put on the coat of Federalism" again. As to the tariff, he took his stand after much deliber-

⁹ Unpublished diary of Mrs. W. C. Preston, in the University of South Carolina Library.

¹⁰ *Raleigh Register*, September 1, 1831.

¹¹ Mangum MSS. Letter from Will H. Haywood, Jr., June 7, 1828.

¹² *Ibid.* Letter to W. H. Haywood, May 31, 1832.

¹³ *Ibid.* Letter from John Chavis, September 3, 1831.

ation. His friends in North Carolina urged him to take part in allaying sectional strife and assured him that the temper of the legislature regarded with horror the very thought of the dissolution of the union.¹⁴ That cautious political guide, Priestley Mangum, advised his brother not to go ahead of public opinion and to be sure that whatever might be the ultimate policy of the government on protection, unconstitutional resistance was not a thing to be spoken of at that time. "Nothing short of tangible oppression" would wean North Carolina from the Union. Mangum himself was pessimistic of a final modification of the tariff, believing that everything was considered from its probable influence on party interests.¹⁵

Jackson's stand on the tariff was not yet clear to his North Carolina friends and they wondered why he did not make his position known, but rather pursued a course of "studied equivocation." They were distrustful of VanBuren because of his tariff principles, and not disposed to accept him as a candidate for the vice-presidency.¹⁶

Mangum's speech on the tariff was made on February 7, 1832. It is to be noted chiefly for the restraint with which he voiced the sentiments of his state and for his stand against Jackson's message to Congress, in which constitutional authority was claimed for taxing foreign goods for purposes of protection. It was widely copied and distributed in pamphlet form, as well as through the state press. The opinion of the Senate was that it was an eloquent and powerful plea, although Mangum was not exactly pleased with his own effort.¹⁷ His constituents as a rule agreed with the *Carolina Observer* (Fayetteville) in its editorial opinion that the speech was calculated to raise the senator in public estimation,¹⁸ and they felt that all their campaign efforts had been repaid.¹⁹

It is only fair to add, however, that not all of the sentiment in the state was anti-tariff. It would be strange if that were so, since even with its poor transportation (almost none, in fact)

¹⁴ *Ibid.* Letters from John Scott and others, December, 1831.

¹⁵ *Ibid.* Letter to William Gaston, January 19, 1832.

¹⁶ *Ibid.* Letter from James Iredell, February 4, 1832.

¹⁷ *Ibid.* Letter to C. A. M., February 11, 1832.

¹⁸ *Carolina Observer*, April 3, 1832.

¹⁹ Mangum MSS. Letter from John Bragg, March 4, 1832.

and far away markets the western part of the state was so obviously suited to manufacturing, and some industrial interests had already become established. In an interesting letter of nearly two thousand words John Long, of Long Mill, protested against Mangum's tariff position. He furnishes strong evidence for the conclusion that North Carolina had enough pro-tariff sentiment to become a political factor under strong leadership.

Long wrote :

"I can assure you as far as my knowledge extends you are quite mistaken in supposing the people of No. Car. are so hostile to the Tariff. I have not conversed with a single individual on the subject who is opposed to it. And you may rely on it in my humble opinion its the only System which can save the poorer class of people from starvation and the remainder from insupportable parish taxes. . . . Those in easy circumstances are apt to spurn the poor and indigent, but the common laborer who knows nothing more than to labour and can't get employment at that even at \$5 pr. mo. I assure you is in a bad state. This is the situation of thousands at this time, and why is it so? because we are all engaged in agricultural pursuits, consequently have reduced the price of grain & cotton so low that no person can afford to hire hands and cultivate. . . . The farmer who does his work with his own individual hand may barely live, but if he hire or has it done by slave labor (which is infinitely worse) he must get into debt. . . . Now Sir, in my humble opinion the whole of our Southern Opposition to the Tariff may be traced to the principle of Slavery. I verily believe if we had not ever had any slaves we should all been Tariff before this time, and when we become convinced that slaves are not worth owning (and not till then) we will dispose of them in some way. "If the slave will not run away from the master the master will run away from the slave." . . . Rather than admit any foreign goods which we have the means of making I would support the governt. by direct taxation.—do this send off the Negroes & the Union is safe."²⁰

While the Compromise Tariff was being worked out, the state of feeling in North Carolina was reflected in letters from Fayetteville where a bad effect was produced by expresses "at the rate of 18-20 miles an hour" going from Washington to

²⁰ Mangum MSS. Letter from John Long, April 5, 1832.

Charleston. Edward J. Hale was the center there of a strong sentiment for the right of secession as the only protection of a section exporting raw articles.²¹

One the question of disposition of the public domain, Mangum found himself in opposition to Thomas Hart Benton who was, like himself, a native of Orange County. But Benton, who was ten years older, revealed the effects of emigration. He was spokesman not only for the administration but for the new West, aggressive, eager for settlers, struggling against the conservative East. His measure for ceding to the new states the public domain within their borders and giving settlers pre-emption rights was opposed by Mangum, and on his motion it was tabled by a vote of 22 to 17.²²

There is little doubt that in North Carolina the sentiment in favor of the Bank of the United States was very strong. Capitalists with large business interests expressed a desire for a modification of the charter, but not for the destruction of the bank.²³ A test of the anti-bank feeling in the Legislature was made by the introduction of a set of condemnatory resolutions in February 1832, but they met with so little favor that they did not even come to a vote.²⁴

Of all political questions this is the one on which Mangum is most charged with inconsistency. If we may judge him by his own statements, he was guided by the question of expediency as well as by the sentiment of his state. When the matter of a recharter was brought before the Senate by anti-administration forces, it is certain he approved of the Bank, for he wrote to Gaston in February, 1832:

"I think it is very much to be regretted that the U. S. Bank has come before the Congress at this session. I regard the continuance of that institution as of almost indispensable necessity.

By deferring its application to next session I have no doubt, with slight modification (to save appearances) it would have met with executive favor. It is *now* more than doubtful whether it will—and the whole may ultimately take the appear-

²¹ *Ibid.* Letter from E. J. Hale, January 30, 1833.

²² *Raleigh Register*, July 19, 1836.

²³ Mangum MSS. Letter from S. F. Patterson, March 11, 1832

²⁴ *Ibid.* Letter from Spencer O'Brien, February 26, 1832.

ance of a trial of strength between Gen. Jackson and the Bank. In that case the Bank will go down. For Gen. J's popularity is of a *sort* not to be shaken at present. I hope for the best results from the wise and patriotic counsels of Mr. McLane." And to Col. William Polk, of Raleigh, he wrote a month later:

"The president will veto the bill. . . . If final action could be delayed until next session I have no doubt Jackson would approve the measure."

He added that practically every southern senator was opposed re-charter, although the senators from Alabama would be for it with modification, and also one of the Georgia senators. He, and also his colleague from North Carolina, Bedford Brown, voted against the rechartering bill.

The publication of Calhoun's Exposition and the Nullification Ordinance provoked the greatest excitement in North Carolina. Mangum's early stand against Nullification, but unequivocally for State Rights, reflected the prevailing sentiment in the state.²⁵ President Jackson's proclamation with its assertion of national powers aroused immediate resentment. Mangum called it "violent and dangerous in its principles."²⁶ He was much opposed to taking harsh measures against South Carolina and made a strong fight against the Force Bill. This put him definitely in the ranks of the opposition which included as widely different wings as violent State Rights Democrats and ardent protectionists. The proclamation had given the opposition its "consolidationist" argument, which was urged upon the hesitant:²⁷

"If the slave-holding states, which have a much greater interest at stake than the others, are indifferent to the fact, whether we live under a government of limited or unlimited powers, we hardly expect to avoid the calamity, which awaits them, just as certainly as the sun shines, that of having their *laborers* legislated away from them, as they have already had their *products*. Against such a scheme, if the current of consolidation be not at this moment stemmed, not a voice *dare be raised* at the North ten years hence, and I need not say, that constitutional guarantees would be as powerless as gossamer against a whirlwind."

²⁵ *Ibid.* Letter from Charles R. Ramsey, October 19, 1832.

²⁶ *Ibid.* Letters to C. A. M., December 15, 1832 and February 2, 1833.

²⁷ *Ibid.* Letter from Coudy Raguet, Philadelphia, January 1, 1833.

Peace did not come with the passing of the Force Bill to save the executive face or the Compromise Tariff (for which Mangum voted) to appease the irate Palmetto State. For President Jackson at the opening of the next Congress precipitated another one of those controversies which made his administration notable. He had ordered the deposits of public funds to be removed from the United States Bank, and when the Senate demanded a copy of his communication to the Cabinet on that subject he characteristically refused to comply with that demand. Mangum was quick to protest against the president's course as touching the constitutional rights of the Senate.²⁸

"The subject was one (he said) involving matters of great moment, as it touched the great constitutional rights of the Senate, and as it touched that high courtesy and mutual respect which ought to subsist between the various branches of the Government. That the Senate should prove deficient in these respects would to him be matter of great regret. That the Senate had transcended its constitutional rights, in the request which it had made on the Executive in the matter alluded to, must not be admitted. It was, therefore, due to the dignity of the Senate, and due to the institutions of the country, to review its whole course in the matter, and if the Senate had done wrong—if it had transcended its rights—to retrace their steps. But if it had not transcended its just rights, it was our duty to maintain the constitutional rights of the Senate. He (Mr. M) was one who, in the simplicity of his heart, had voted for the resolution calling for information of the President—never dreaming of its being an invasion of Executive power. And he would suppose it impossible that the Senate should lose sight of that respect which was due to the highest functionary of the Government. His object was to take up the message for consideration, and to move its reference to a select committee."

Mangum's course in moving to refer the president's message to a select committee aroused the attention of the *Raleigh Register* and gave him that journal's first favorable comment on his senatorial activity. His membership on such important committees as Finance and Foreign Relations was noted and

²⁸ *Congressional Globe*, 23rd Congress, 1st session, p. 42. Mangum was Chairman of the Committee of Reference.

part of his speech quoted.²⁹ From this time the *Register* made more frequent mention of the senator and stood by him staunchly for the rest of his career.

In the following year, in the course of his duties as a member of the Finance Committee, Senator Mangum along with Ewing, Tyler, and Webster, went to New York and Boston on a tour of investigation of matters connected with the United States Bank. There was much business, but the experiences of a New England visit made a deep impression and the diary letter to his wife is illuminating. He attended Harvard Commencement (then held in August), the Phi Beta Kappa dinner, paid his respects to John Quincy Adams, dined at the Websters, and through the management of Webster was entertained at the Tremont Hotel. He thought the scenery enchanting, and the people of Boston the most civil in the world and the kindest—"They only differ from the South in this, they are attentive to persons of distinction, a stranger might be here for weeks, unknown to the world and remain unknown to the Bostonians."

Lowell with its busy factories and thousands of girls from twelve to eighteen years old working at the looms, pained him. "I had rather my daughters should go to the cornfield with their hoes, incomparably rather than that they should go into a factory."³⁰

He was becoming well known to the Whigs of the North and began to receive numerous invitations to visit and lecture. Among the requests for a lecture one of the most pressing had been from the Mercantile Library Association of New York which assured him that among their lecturers for the year they had already secured Mr. Thackeray. The fee was one hundred dollars."³¹

In this period of gathering opposition to Jackson at the national Capitol, state politics at first marked time. The sectionalism of East and West was perpetuated, the West threatening to move the capitol from Raleigh and finding a leader in the Cape Fear delegation, the East stubbornly resisting, but all

²⁹ *Raleigh Register*, December 24, 1833.

³⁰ Mangum MSS. Letter to Mrs. Mangum, August, 1834.

³¹ *Ibid.* Letter from Mullard Felts, October 25, 1832.

realizing that a convention must eventually be called to amend the constitution."³²

Three months before the opening of the twenty-third Congress Hillsboro was the scene of one of those preliminary meetings which kept alive the demand for state-wide action. It was now reported, however, as a "Rail Road Meeting."³³ Dennis Heartt was secretary and the speakers were Judge Ruffin, Judge Nash, Hugh Waddell, and Senator Mangum. The senator was among the fifteen delegates elected to a convention to be held at Hillsboro on September 24, 1833. A committee was appointed to prepare a report on Internal Improvements. This was directly in line with Mangum's interests and his work on the committee is recognized as similar in spirit and ideals to the long-forgotten report of 1819.

The East was pretty clearly for Jackson, but for a few of what might be called the large planters and bank leaders. The anti-Jackson men could be sure of gaining the West with the cause of Internal Improvements and, consciously or not, this was made the keynote of Whig policy in North Carolina. By the next year the term Whig was in common use, although in some quarters "Republican Whig" was used altogether."³⁴

The Hillsboro Convention was widely reported. Mangum had acted as chairman of a select committee and was responsible for a motion that the state should pay two-fifths of the cost of railroads or other internal improvements when private citizens secured three-fifths of the required capital.

By the next year sentiment had increased for a constitutional convention. The West found common cause with the East and the historic convention of 'thirty-five took place. Mangum was not a candidate for a seat at that meeting, although Paul Carrington Cameron would have liked to place in nomination along with the name of Judge Ruffin that of his old tutor.³⁵ In the meantime the senator was involved in the quarrel over "Instructions" by the Legislature which finally led to his resignation. His position in a bitter wrangle over national politics hampered

³² Mangum MSS. Letters from W. H. Haywood, January 15, 1832, and William Gaston, January 23, 1832.

³³ See *Carolina Observer*, 1836.

³⁴ *Raleigh Star*, September 30, 1833.

³⁵ Mangum MSS. Letter from Paul Carrington Cameron, 1834.

his state leadership. The story is a rather long one and is marked by incredibly violent partisanship.

The opposition to President Jackson had centered on the two questions of opposition to the Force Bill and the abuse of executive power in the removal of deposits. With Mangum's position on the first no question was raised, and at first the stand he took on the matter of deposits seemed that of his entire state.

Open warfare began with the presentation by Mangum on January 23, 1834, of a memorial of "sundry citizens" of the state.³⁶ This was followed by an almost monotonous series of such memorials—Burke County, Fayetteville, Wilkes County, Washington, Lenoir County, and others being among the petitioners for a restoration of the deposits and disapproving the course of the administration. To the very first memorial Bedford Brown, Mangum's colleague, protested, and to the second he made objection on the floor of the Senate. According to him these memorials did not represent the sense of the people of North Carolina and the petition from Burke County came "in questionable shape."³⁷

The result was an increase of party cleavage in the state, although as a matter of fact some of Mangum's political enemies approved in this instance his criticism of the administration. John Branch, for example, wrote in warm commendation of his course as a "disinterested and able defence of constitutional liberty."³⁸ Of the party groups now forming on national policies the more articulate one endorsed Mangum. A meeting of such a group at Hillsboro was described by his brother as attended by "old Feds, young Feds, Bank men and merchants." "The great body of our people," he went on to say, "would sustain the President, but the above description of people, and generally the intelligent, would condemn."³⁹

While the national reputation of this anti-administration leader was growing and the Whig Central Committee in New York published both his speeches on the Deposits and the

³⁶ *Congressional Globe*, 33rd Congress, first session, p. 122.

³⁷ *Ibid.* Pp. 169-170.

³⁸ Mangum MSS. Letter from John Branch, March 16, 1834.

³⁹ *Ibid.* Letter from P. H. M., March 7, 1834.

Protest to be sent "where they may be useful,"⁴⁰ his power in the state was being undermined. When the Legislature met in November, 1834, his opposing colleague, Bedford Brown, a strong Jackson man, a "Democratic-Republican," was reelected. This gave the Democrats confidence. They passed resolutions affirming the right of instruction by a Legislature of the state's representatives in Congress and also instructing Mangum to vote to expunge from the Journals of the Senate the Resolution of Clay charging the President with unconstitutional action.

Mangum's friends were taken by surprise. When they rallied, although Manly, Outlaw, Barringer, and W. A. Graham defended his course as constitutional and condemned the resolutions ("disgraceful proceedings," Graham said) the Jackson men were triumphant.⁴¹

A copy of the Resolutions of Instructions found among the Mangum papers is as follows:

Resolved that the Legislature of a State, acting as the representative of the people of said State have a right to instruct their Senators in Congress; and a just vindication of the character of our political institutions should be given whenever a Senator misrepresents the will of the State upon great questions of national policy or in times of public emergency.

Resolved that the Honorable Willie P. Mangum, one of the Senators from this State, in the Congress of the United States, be, and hereby is instructed to vote for expunging from the records of the Senate of the United States, the resolution declaring that the President, in his late executive proceedings in relation to the public revenue had assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both.

Resolved that his Excellency the Governor of this State be requested to transmit forthwith to the Honorable Willie P. Mangum, and to the Honorable Bedford Brown, one copy each of the foregoing resolutions. Wm. J. Alexander S.H.C.

Read three times and
ratified in General

W. D. Moseley S.S.

Assembly December 27th. 1834.

The *Raleigh Register* was quick to point out the significance of the vote for the resolutions (69 out of 137 in the House and

⁴⁰ *Ibid.* Letter from Wallace Griffith, New York, May 28, 1834.

⁴¹ *Ibid.* Letter from W. A. Graham, December 8, 1834.

33 out of 65 in the Senate):⁴² "The 34 counties, the Senators from which (Mr. Speaker Moseley included) voted in favor of these instructions are *in a minority* of about 7,000 of the Federal population of the State. If therefore, the vote proves Mr. Mangum to be in a minority in the Senate, it shows Mr. Brown to be in a decided minority of the people. Under these circumstances is there any difficulty in pronouncing which of them is the most effectually instructed"?

The Whigs rallied to Mangum's support. A correspondent of the *Richmond Whig* suggested his name for the Vice-Presidency and a huge entertainment was given at Halifax. At Halifax the nomination was repeated and Mangum was toasted: "Our independent Senator. He stood with the sword in one hand and the constitution in the other. May he be our next Vice-President."⁴³ Countless letters and meetings assured him he must not resign or vote to expunge. The absurdity of a possible reversal of instructions by a succeeding Legislature was not overlooked.

The resolutions of the Legislature had been duly presented in the Senate, but Mangum declared he could not obey them, since by doing so he would violate the Constitution which he was bound to support. He spoke briefly, saying that he thought his reasons for disobeying the instructions should be made to his constituents and not to the Senate.⁴⁴ Of the invitations to speak to his constituents, however, Mangum availed himself of comparatively few. Thomas L. Clingman, the new political star of Western North Carolina, urged him to bestir himself and inform people of the real issues. "Half a dozen speeches at dinners would get a majority."⁴⁵

Besides the great Halifax entertainment the only one of note at which Mangum spoke to the countryside was the Charlotte Mecklenburg Celebration Day. Duff Green was the other speaker on national politics and Governor Swain on state affairs.⁴⁶ It was evident that the Whigs had a dual conflict on. They were nationally opposing Jackson, but locally they were

⁴² *Raleigh Register*, December 30, 1834.

⁴³ *Ibid.* April 7, 1835.

⁴⁴ *Congressional Globe*, 33rd Congress, first session, p. 122.

⁴⁵ Mangum MSS. Letter from Thos. L. Clingham, 1835.

⁴⁶ *Raleigh Star*, May 28, 1835.

supporting internal improvements and a long-delayed program of social legislation. In national politics Jackson still claimed the passionate devotion of his thousands ("You can't beat the battle of New Orleans" was the Whig explanation), and the shadow of the next election dulled the issue.

On the last great question of Jackson's administration, that of specie payments for public lands, Mangum spoke with such ingenuousness one can hardly believe the *Congressional Globe*. The record reads:⁴⁷

"He had taken no part in this unprofitable discussion, because his opinions were so primitive that he almost feared to express them, lest they should be scouted at. They might be chimeras; but he believed that all these wealthy corporate institutions were inimical to a spirit of liberty, which he preferred to all the wealth and splendor of the great cities. Banks, railroads, stock companies of every description, might be useful; but he was opposed to them all, because, in his opinion, they were inconsistent with the true spirit of liberty."

Ah, Mr. Mangum, if you could only see two generations after your time your native Orange the center of a great corporate industry, a giant among the organizations, and paying to support the state and nation as much as Nathaniel Macon's wildest dreams of extravagance could not have fancied.

Mangum's decision to withhold his resignation until the will of the people could be determined by the election of 1836, the first under the amended constitution, was in harmony with his fundamental conception of his office. But the result of the election, like the oracles of old, was no clear guide. For the new governor, elected now by popular vote, was the Whig, Edward B. Dudley, the Legislature was Whig until the resignation of one member to be succeeded by a Democrat gave an anti-Whig majority of one, and the electors for President were those of the Van Buren ticket. As soon as the Democratic character of the Legislature was evident, against all advice he had received, yielding his national position to state politics and working to strengthen the new Whig party in the state, Mangum resigned. South Carolina was ready to cast her full electoral vote for him as president, but his own Legislature was hostile.

⁴⁷ *Congressional Globe*, 34th Congress, first session, pp. 392-393.

THE LOWRIE GANG

AN EPISODE IN THE HISTORY
OF ROBESON COUNTY, N. C.

1864-1874

BY

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* This Essay received the Southern History Prize of the Trinity College Historical Society in 1923.

CONTENTS

	PAGE
INTRODUCTION	57
I. CHARACTERISTICS OF ROBESON COUNTY.....	59
II. ORIGIN OF THE CROATANS.....	64
III. THE LOWRIE FAMILY.....	68
IV. THE ATROCITIES	78
V. SUPPRESSION OF THE GANG.....	83
VI. LATER HISTORY OF THE CROATANS.....	90

INTRODUCTION

Of all the local and community history of North Carolina none is more interesting than that of the Lowries. No book of fiction, of daring robberies, or of cold-blooded murders can compare with the deeds of fiendish cruelty committed by this band. As an outlaw gang they have no equal in North Carolina annals nor superior in United States history. Their activities ranged over nearly a decade before the last robber was killed. Only a few books and pamphlets have been written about them. They terrorized the whole of Robeson and adjacent counties, holding every rural dweller in subjugation and fear.

I have not endeavored to relate every detail connected with the activities of the robber band; I have been concerned first in showing the economic, social, and political background which enabled these half-breed Indians to terrorize the inhabitants for so long a time. I have also tried to keep in mind an economic viewpoint of the conditions in Robeson county—the number of slaves and the size of farms. I have given a personal sketch of each of the robbers in their everyday life; also I have included the early history and origin of the gang. I have related the events leading to the defeat and ultimate capture of the robbers together with the various expeditions sent out against them. The material for this history has been gathered from various newspapers, journals, and traditions; part of it has, however, been obtained directly from citizens who have lived in Robeson county and vicinity all their lives. All persons who are quoted are recognized as being reliable in every degree. They have been in position to note and record every act of the Lowrie band and have had the events so impressed upon their minds that accuracy and authenticity must be attributed to them. Many stories related herein have been handed down by fathers and mothers or have been experienced or witnessed in person.

Most of the inhabitants of Robeson county today are lacking in any information concerning the robber band. What ideas they have are usually rather hazy or very much exaggerated; and their store of facts and events is more "piecemeal"

information than accurate reports. Today there is no single recognized authority on the Lowrie history. All who have written on the subject have left some vital point untouched. The chief source of perplexity in dealing with the Lowrie history is to get the economic, social, and political background of the activities of the robber band. It is essential that the causes and events which gave impetus to their organization be reviewed thoroughly. Likewise it is necessary to account for the presence of the Indian settlement in Robeson county.

There were several underlying motives of the robber band which seem to bear strongly on their activities and their prolonged existence. For instance, the treatment of the Croatan by the whites might well be attributed as one cause for bitterness between the two elements. Also party affiliations could be brought in as another cause for a breach and bitter feeling between the Indians and the whites. In fact, every detail must be given equal consideration in an endeavor to ascertain why and how the robber band started its warfare on the inhabitants of Robeson county. The establishment of a definite conclusion in this matter has been one of the purposes of this paper—to show Robeson county as it was in its pre-war state, its war state, and its post-war state.

CHARACTERISTICS OF ROBESON COUNTY

Robeson county is located in the southeastern part of North Carolina. It is bounded on the north by Hoke county, on the west by Scotland and Columbus counties, on the east by Bladen and Cumberland counties, and on the south by Marlborough county, South Carolina. The land of Robeson county has always been very fertile. Many swamp and marsh lands are scattered over the entire county and were the chief hiding places for the robbers. In the spring the lowlands are flooded, a rich layer of silt being deposited every year. In this way most of the land is kept constantly fertilized. The principal occupation in Robeson county in 1860-65 was farming. Cotton and corn made up the chief crops, with melons and vegetables being grown in small quantities.

The farms in Robeson county before the war were large to a certain degree. The plantations usually contained from three hundred to over a thousand acres of land. These plantations were broken up somewhat by the Civil War; however, today many of the farms have been built to their pre-war status. The plantations then were large, but the Indian farms were small and in most cases ill-kept. The Indians apparently had no desire to excell in any industry or occupation. They were content merely to get along. They begrudged the success of the whites because they considered that they were being discriminated against by them. In many cases they were cheated in trades or land deals until they soon would not trust a white man in any transaction. Although accepting the same religion as the whites, the Indians allowed only native ministers in their churches after a certain period. The trouble between the Croatans and the whites was due to a large extent to the mongrel type of some of the Indians. Their intermarriage with negroes, in some cases, degraded the race and caused them to be looked down upon by the white population.

The planters and farmers in Robeson county were prosperous for the most part in 1860. There were 5,455 slaves in the county in this same year. The number of free negroes was

1,462, which shows that there was a large number of poor negro tenants and farmers. Of the total of 6,917 negroes in Robeson county in 1860, 2,575 were mulattos. This condition shows one problem that the people of the county had to solve, for many had intermarried with the Indians and were constantly making trouble. Indeed the census of 1860 does not mention an Indian group. It also fails to mention Robeson county in reference to Indians or Indian settlements. The county was also a tobacco raising region. This fact explains the desire for tobacco by the Indians. The chief crop among the Indians, however, was corn. Most of the corn was made into whiskey, only a small part being made into meal.

Thus the general economic condition of Robeson county before the Civil War and the first few years after the war can be explained in a very few words. The landed class was large and possessed the most power, while the Indians and free negroes lived a discontented life in poverty. On the whole, we might say, the Indians plundered and robbed because they needed things to eat and wear. Of course they might not have suffered very much hardship had they not plundered the county. But it is safe to say that the Indians had little or no money after the war; their farms had gone to wreck and their general condition was deplorable. They felt that they were rightfully due a livelihood and proceeded to extract it from the inhabitants of the county.

Politically, Robeson county offered various problems. There were many Democrats and old line Whigs in the county. The Lowrie family had been Whig for a generation or more.¹ Every negro after the war was a Republican. Thus there were two factions, the Democrats and Republicans. The Republicans consisted primarily of the negroes and Indians, and the Democrats were made up of the planters and aristocracy of the county. These two factions were of course diametrically opposed to each other. Feeling ran high at every election. Hamilton, in his *Reconstruction in North Carolina*, says that the Whig influence in Robeson county before the war and the Republican influence after the war was

¹ "The Lowrie History," pp. 5-6.

very strong. He also brings out the fact that the party affiliation of the Lowries, who were Republicans, was the cause of the leniency shown toward their gang by Governors Holden and Caldwell. The Lowries were Red Strings, which was a prominent peace organization during the war in North Carolina. From these facts it can easily be seen why the Lowries were antagonistic toward certain Democratic citizens of Robeson county and also why they remained at large so long. Of course the Republican government did not sanction the many depredations committed by the Lowrie gang, but it was certainly negligent in not forcing the campaign to a close sooner than it really was. The politicians were so engrossed in reorganizing the state government that the Lowries were overlooked until it was almost too late.

It might be well to mention here that the Ku Klux had no influence in the Lowrie robberies. This was brought to light by the Ku Klux investigation of 1872. In the northern press the Lowries were first said to be Ku Klux, and later, when more was learned of them, it was said that their acts were in retaliation for Ku Klux outrages. As a matter of fact their lawlessness antedated the Ku Klux movement. The testimony brought out in the Ku Klux investigations of 1872 disclosed the fact that political influences had nothing to do with the Lowrie gang. It was brought out, however, that the Lowries never killed a Republican. This statement was later repudiated when the testimony was established that the gang had killed two Republicans who were hunting them at that time. The following is a statement of one of the witnesses in reference to the political situation in Robeson county, "Yes sir, I believe that the politicians who have established the Republican party in that county have got all this class of people (Scuffletonians) in their party by instilling into them hatred for the white. I believe they have been taught to hate the white man as one who was endeavoring to keep away from them what are their rights. But at the same time I do not believe the Republican party as an organization down there would shield those men; I believe that they want them arrested and punished." Another citizen testified that "all negroes or Indians who vote the Demo-

cratic ticket are ostracized." In referring to the Ku Klux, another witness declared, "I suppose they (the Lowrie gang) would be put down by the Ku Klux organization if they were in any other part of the State."²

In summing up the political situation in Robeson county it is safe to say that the Republican influence in the county was very great, which accounts for the leniency shown toward the robbers when they first started their crimes, that there was no action by the Klan on account of fewness of members, and that there was a general lack of coöperation and organization among the Democrats due to the war.

At the time the Lowries commenced their robberies, in the year 1864 (this was after the death of Allen Lowrie), all the able bodied men were at the front fighting. Their families were left exposed at home to a band of merciless marauders. When requisition was made by the Confederate government for military service, the Lowries betook themselves to the swamps.

That part of the county in which the gang operated and was organized was confined primarily to Scuffletown. The Lowries lived in Scuffletown. Old Allen Lowrie held in contempt the common Scuffletonians; he purchased a farm from a white man in a neighborhood that was made up of very respectable families. The immediate vicinity in which the robberies were committed was not thickly settled, the farms being large; thus families lived some distance from each other. This neighborhood is situated on the west side of the Lumber river, about twelve miles northwest of Lumberton.

At the time of the organization of the band in 1864 there were no men at home except a few who were exempt from service by age and other causes; in many families there were no men at home at all. The citizens of the upper part of the county, realizing the utter helplessness of the people to defend themselves, formed a Home Guard and came down into the Lumber river district to learn more of the gang, their mode of attack, and if possible their hiding place. After quartering themselves at McLaughlin's Bridge they soon realized that their force was much too small to combat the outlaws, who it was

² Taken from *Ku Klux Report*, 1872. Vol. II. 253.

positively learned, contained forty or fifty men. Mrs. Norment says that the Richmond county Home Guard joined the Robeson county guard and succeeded in capturing Allen Lowrie and his son, William Lowrie, whose house was being used as a storage place for stolen plunder. These two Indians were tried and hanged, but the robberies continued unabated. However, it is a general opinion among citizens in Robeson county during that time that the execution of these two men merely added fuel to the flames. As soon as the Civil War ended, the men of the county returned, worn out and disheartened. In the face of such a condition the robber band went on undisturbed, why?—for the simple reason that there was no coöperation among the citizens. The usual answer to a request to join in the chase was, “No, if they let us alone, we will let them alone.”

Another political side to the Lowrie question in relation to the situation in the county is given in the elections immediately after the war. The first election held there after the surrender, as in almost every other county in the state, placed radical officials in office; and in Robeson county some of the petty officers assumed more power in the control of local affairs than the state allowed; yet they were quietly permitted to use that authority. Nine young men who were falsely accused by enemies of being connected with the robber band were exiled from the borders of North Carolina by radical judges. Numerous attempts were made to apprehend other men on like charges, but the attempts failed. The slowness of action on the part of the Robesonians branded them as cowards in many parts of the state. However, they were harassed and intimidated by adversity of conditions and a general lack of coöperation by the citizenry of the county.

Economically and socially the situation in Robeson county accentuated the origin of the gang. The Indians felt that they were being starved and maltreated by the planters and resolved to take some means to equalize the balance. They began their robberies at a time when most of the men were away at the front fighting. Socially, the outlook of the county was bad in 1860. The free negroes were one menace, and the very low

standard of living among the Indians was another. In fact, the Indians were in such a condition that only the appearance of a leader was necessary to incite them to armed violence. In short, the time was ripe in the mind of Henry Berrie Lowrie to start his war of revenge for the death of his kinsmen and at the same time reap a reward for himself. The treatment of the Indians by the whites, to use an old expression, but added fuel to the fire. The Indians used it as a pretext to seek revenge. The intelligence among the Indians was not over high, and their emotions could be played upon to disastrous ends.

II

ORIGIN OF THE "CROATANS"

It is believed by some historians, notably Stephen B. Weeks and Hamilton McMillan, that the Croatan settlement in Robeson county originated from the Lost Colony of Roanoke Island.¹ On July 4, 1584, Raleigh's first expedition landed on the North Carolina coast. The newcomers discovered that the land which they were occupying was an island, twenty miles long and six broad. On the third day after their arrival the colonists were visited by Granganimeo, brother of King Wingina, and a company of natives. The Indians welcomed the English and showed every sign of peace and friendliness. The settlers later visited the Indians and were treated with much courtesy and respect. However, the colonists did not attempt to make a settlement on this occasion. They remained on the island for two months and then returned to England. Again in 1585 Raleigh sent out a colonizing expedition under the command of Sir Richard Grenville. This colony met with mishap after mishap, and greatly disheartened they left for England before Raleigh could send succor. Raleigh's third attempt at colonization was in 1587. This time he appointed John White governor with twelve assistants. On July 25 the settlers landed on Roanoke Island. On August 13 Manteo, an Indian friend of the colonists, was baptised into the Christian faith. Virginia Dare, the first white baby to be born on the island was

¹ Weeks, "Lost Colony of Roanoke." (*Papers of the American Historical Association*. Vol. V.)

born on July 18, 1587. On August 27 John White at the earnest behest of the colonists returned to England to secure supplies and financial aid. He instructed the colonists to leave some conspicuous sign in case they moved and in case of distress to carve a cross above the sign. In 1591 White returned to Roanoke Island, but he found the fort deserted and several muskets lying around. The Word CROATAN was seen carved on a tree near the fort. A picture of this carving can be seen now in the Museum of State History at Raleigh. No other clew was left to give White any idea where his colony had gone. Several expeditions were sent out, but no trace was found.

Croatan was the name of the dwelling place of the Hatteras Indians, who were under the leadership of Manteo. Manteo had been to England and had assimilated some of the European civilization. It is then reasonable to conclude that the colonists, becoming destitute for food, settled with the Indians and intermarried with them. The colonists undoubtedly left peaceably, for their arms and ammunition were buried on the island before they left. The Indians in Robeson county are well acquainted with the story of Virginia Dare, but they insist that the name is spelled Dorr and not Dare.

Another proof lies in the name of Henry Berrie Lowrie. Henry Berrie was one of the Lost Colony; so it would seem from this that the Lowries are descendants of the Roanoke Islanders. The Croatans fought the Tuscaroras in the Tuscarora War of 1711, and it is believed that they were in their present homes as early as 1650. The earliest grants to any Croatans were to Henry Berrie Lowrie (not the robber) and James Lowrie in 1732 and later in 1738. The Croatans have migrated into Indiana and the Southwest. McMillan tells us that they often visit their homes in Robeson county.²

Hamilton McMillan also writes that the Indians migrated by the old Lowrie road which ran on the ancient coastline of North Carolina. The road ran north of Maxton and thence into South Carolina. From the earliest settlement of Robeson county the Croatans have occupied a large territory, chiefly

² *Sir Walter Raleigh's Lost Colony.* Durham, N. C., 1888.

along the Lumber River. They are undoubtedly of Indian origin; they possess Indian traits, and declare that their ancestors were Cherokees who formerly dwelled in Eastern North Carolina on Roanoke Island. One interesting thing to note is that the district called Roanoke embraced the entire country adjacent to Pamlico Sound and not merely the island. McMillan also tells us that these Indians, when first known to white men after John White, were known to possess names identical with those of the Lost Colony. They also speak many English words which were used in the time of Chaucer or later, but are now obsolete. In addressing a stranger they use the old Saxon word MON. They speak of houses as HOUSEN and use MENSION for measure. These Indians have traditions which lead one to infer that they once had Christian churches at several points along the roads leading from Roanoke to the Southwest and other points of settlement. One of the churches was located near Rockfish in Cumberland county. An aged citizen of Cumberland remembered seeing the walls of this church, known as the "Indian Walls," from 1812 to 1837, when the material was used in building the basement of the Rockfish Cotton Factory. In 1865 the building was burned by General Sherman, but the present building was located on the rock basement, which was not injured. The material used in building the church was red sandstone, but the quarry where the material was obtained has never been found.

The caravans, leaving Robeson county, were described by Colonel Byrd as containing from 150 to 200 horses loaded with guns, ammunition, clothing, tomahawks, and other merchandise to trade with the Indians in the Southwest for hides and skins. Ministers often accompanied these caravans. One of these ministers was a Frenchman, De Richbourg. Governor Swain investigated the traditions concerning him and found that he died near the Catawba River on one of these expeditions and that some of his descendants still live in Buncombe county. McMillan says that he has found only three families among the Croatans who have Indian names; the rest have French or English.

Along the Lowrie road there are many mounds, which are circular and are elevated some three feet above the ground. Several have been excavated and have been found to contain human skeletons. Arrowheads and flints have been found in various places, but there is some doubt that the Indians used these instruments. Traditions are not available that these Croatans used arrows as their weapons. The Croatans ornamented their pottery by rolling corn over the vessel while it was still in the plastic state.

The Croatans have given Hiram R. Levels to the United States Senate, Senator from Mississippi in 1870. They divide their religion between the Baptists and the Methodists. Only a few are Presbyterians. They have an Indian mission and twenty churches. Until 1835 their children went to school with the white children, but after that they were prohibited, and so many of them grew into manhood and womanhood totally ignorant and illiterate. It was not until 1868 that public schools were made available for them.

There is a wide diversity of opinion as to the source of the Croatans. Of course there are many who believe that they are the direct descendants of the Lost Colony of Roanoke Island, but there are others who believe that they originated from an entirely different source. Weeks tells us of a second theory as to the migration of the Hatteras Indians, that a tribe of that name is found near Clarksville, Virginia, on the Roanoke River. He seems to think, however, that the Hatteras Indians migrated to Robeson county instead.

The well grounded belief is that the swamp lands of the Scuffletown district attracted many runaway slaves and thieves, who recognized a good refuge and hiding place in the swamps. Thus as the years passed on quite a number of these renegades accumulated on the Lumber River, took up a tract of land, manufactured whiskey, intermarried with each other, and produced such a dauntless type as the Lowries. The mulatto type of some of the Croatans points to the fact that intermarriage between negro and Indian took place and was not an uncommon occurrence. The Croatans, however, considered it an insult to be called a negro. McMillan says concerning the

Croatan, "In view of the great improvement of this tribe during the past twenty years, we predict a bright future for the Croatans."

Whatever the source of the Robeson county half-breeds, we know that in general they were a wild lot. Year before last four men were killed in Scuffletown. It is not at all unusual to hear of a shooting scrape. Since the Volstead Act the Indians have become great moonshiners. Practically all of their corn is made into whiskey. Two summers ago a party of men were motoring through the Scuffletown district. They had engine trouble, and one of the men was repairing the motor when an Indian rose up out of the grass along the way, threw a gun to his shoulder, and fired a load of buckshot into the back of the automobile. Such things as these are common. The Indians are still a lawless set. They have no use for the whites nor the negroes. They are treacherous among each other. McMillan's prediction, although well meant, is not true for a majority of the Indians. Those who refuse to take advantage of the educational facilities contaminate the rest.

III

THE LOWRIE FAMILY

In 1769, James Lowrie, a tall well-proportioned Indian, settled in Robeson county. He was of the Tuscarora tribe, with some Croatan blood. At this time Robeson was a part of Bladen county. James Lowrie bought a tract of land of one hundred acres from William Fort. This had been granted to Fort by King George II in 1738. The land was settled and cultivated by James Lowrie and is now owned by the heirs of Colonel Archibald McEachern.

It is said that Lowrie resided near the present homeplace of Colonel McEachern, which was in the proximity of a swamp. It is not known whether the home of Lowrie was on the edge of the swamp or whether he lived farther in the interior. However, it is known that there was a ford immediately in front of his house. Lowrie lived here raising cattle and farming, and during the Revolutionary War he kept a tavern. James Low-

rie came to Robeson county from Bute county, now Franklin and Warren counties. All of the Lowries were descended from James Lowrie.

There are peculiar incidents in the history of the ancestors of the outlaw band which do not in any way correspond with the later deeds of the gang. James Lowrie's father was a member of the Virginia Judiciary shortly after that state became a member of the Union.¹ He was ever after known as Judge Lowrie. He was very old when he became judge. Judge Lowrie was of Cavalier and Indian stock and was characterized by refinement of manner, a tall and commanding personal appearance, urbanity, and gentility. James Lowrie married a half-breed Tuscarora Indian (Sarah Kearsey), and from this marriage all the Lowries in Robeson county trace their descent.

The preceding statements are not merely current rumors but are based upon facts related by James Lowrie himself. They were corroborated by Silas Atkins, who came to Robeson county with James Lowrie; they have also been confirmed by the late Neil Brown, who lived at Richland Swamp, by Reverend A. Smith, Sampson Bridgers, and by Nathan, Henry, and John Thompson, prominent citizens of that section.

James Lowrie had three sons: William, Thomas, and James. At the outbreak of the Revolutionary War William joined the colors in the fight for independence. He served under the command of the notorious Whig, Colonel Thomas Robeson, after whom Robeson county was named. William proved to be a good soldier, fighting side by side with the white soldiers and engaging in every battle fought by Colonel Robeson. One day, while piloting some men across Drowning Creek after the massacre at Pine Bottom, in Cumberland county, William Lowrie received a severe wound in his left arm from a Tory named McPherson, which necessitated his being out of the service for some time.

The other two sons, Thomas and James, were too young for the service. Their father evidently sided with the Whigs in spirit, although he never took an active part in the conflict. He lived very close to McPaul's mill, the rendezvous of all the

¹ From Norment, *History of the Lowries*, p. 5.

Tories for the surrounding district. James Lowrie was disliked by the Tories, probably because his son fought with the Whigs. Soon after the Revolutionary War, prejudice became so strong against him that he had to leave. He took up his abode on Drowning Creek, near the home of his old friend, Silas Atkins. His immediate home was called the Harper Ferry place. He kept an inn here and also a grocery store. He lived at the Harper Ferry place for the rest of his life. James Lowrie left all his land and negroes to his children and a good name to his posterity.

Soon after the death of James Lowrie the district around his farm began to build up. This district was known as Scuffletown. Colonel Vick, merchandising at Fair Bluff in James Lowrie's time, was the author of this unique name. His reason for naming it Scuffletown was due to the congregating of the half-breeds around his store and their imbibing too freely of liquor, thus causing quarrels and a perpetual scuffle for existence. Scuffletown was a wild place, and its name does not belie its people.

This part of Robeson county was doubtless settled first by the ancestors of these Indians, probably on account of the cheapness of the soil. The Lumber river overflows during wet weather and floods all the swamps and lowlands. In the summer the swamps are rich with the verdure of a thick undergrowth and the forests along the river are also thick with cypress, oak, and many other native trees. There are quite a number of hills surrounding Scuffletown, contrasting with the low swamp lands. It is said that the Indians were great lovers of tobacco and would often accost a stranger in an effort to obtain the weed. The approach to Scuffletown is very hard and difficult to one not acquainted with its paths and byways.

If a stranger wished to visit a Scuffletown shanty, he would be compelled to leave the public road and go by some path unknown to the stranger. The shanty and adjacent ground was usually enclosed with a pine rail fence. The land was very poor. In the center of the ground stood a shanty, constructed of pine poles, notched one above the other. After the poles reached a height of ten feet, they were covered with pine boards.

The chimney was built of clay and sticks. It was very rare to see one of these houses containing any windows. The well was directly back of the house. The Indians always cut numerous peepholes in the sides of the shanties as a precaution against approaching foes. In the corner of the chimney, on the outside of the house, there was usually a half barrel, sawed off and set up on boards, one foot above the ground, for the purpose of making soap. The other half of the barrel is used for a washtub. The few acres of land were planted in corn and rice which grow sparsely and mature sparsely. A poor, half fed dog acted as guardian sentinel for the household.²

There were usually from a half dozen to a dozen children playing in the yard. The bed was made on the floor (generally on the ground). There were two or three stools to sit on, no rooms in the cabin, one compartment composing the whole building. The above statements describe the majority of Indian shanties, but there were a few exceptions. The Oxendines, for instance, lived in better style and were well-to-do people in that section. The Lowries also lived comfortably, some of them being good carpenters and mechanics.

The traits of the Indian were peculiar and eccentric. Sometimes he assumed a religious aspect as solemn and austere as the most stolid Puritan could desire. At other times he plunged into the most degenerating excesses, contrary to all ethics. A wild desire for spiritous liquors was the leading weakness of the race. Due to their drunkenness they often quarreled, cutting and oftentimes shooting each other. Notwithstanding these immoral practices, a great majority of the Indians join either the Methodist or the Baptist church. Many of them studied for the ministry, and, after becoming ordained, accepted churches in their own district. They always preached in a straightforward manner, which is characteristic of their race. Since the Civil War these Indians have shut their doors against all white ministers, allowing only the preachers of their own race to occupy their pulpits.

Closely associated with the Lowrie history, and forming the background for the greater part of the murderous deeds of the

² Norment, *History of the Lowries*, pp. 21-24.

Lowries, is the well-known and much talked-of Scuffletown. Scuffletown is located northwest of the center of Robeson county. The Central Carolina Railroad divided the district during the Civil War. This district is thickly interspersed with branches, swamps, and bays; in fact, it is a part of the great swamp region of North Carolina. The Lowrie gang never committed a murder north of this railroad, which divides the county. The boldest robberies also occurred south of this line. The robbers had their camp on Back Swamp, about ten miles from Inman's Bridge, across the Lumber River.

When the Scotch began to migrate into Robeson county in the year 1747, the ancestors of the Locklears, Revels, Cumbos, and Chavises of today located where their descendants now live. Soon after the Revolutionary War the Lowries moved into Robeson county and built on the place now known as the Harper Ferry Place. They kept a ferry there across the Lumber River. Later the Ransoms came into the county and took up their abode in the immediate district (later known as Scuffletown). The Woods came from Sampson county, the Oxendines from Franklin, also the Cummins, Brayboys, and Gians; along with these semi-aborigines came the Bells, Jacobs, Hunts, and Dials. These people formed no line of demarcation in intermarrying; however, the race growing out of these marriages was essentially a homogeneous one, characterized by straight black hair, high cheek bones, straight backs, and great muscular power. "Traces of the Indian and Anglo-Saxon can be found in the contour of their faces and observed in their demeanor and deportment." As a race they are very superstitious, believing in ghosts, elves, and goblins. Their race is very prolific; some of the women bear as many as sixteen children; in fact, a family of twelve is a common occurrence. These people live to be very old, notwithstanding their love for drink.

The inhabitants of Scuffletown are indeed a wild sort. The court of Robeson county was forced to add on extra dockets every year to their already heavy schedule, on account of the great number of cases from Scuffletown. This increased docket so incumbered the county finances that the tax rate of Robeson

county was continually above its normal mark. Mrs. Norment suggests this paraphrase from Cicero as a fit epithet against the people of Scuffletown. "How long, O Scuffletonians, will you abuse our patience." These inhabitants of Scuffletown were certainly a peculiar lot; on the one hand righteous and pious, at times they wandered into the immoral vicissitudes of life. In 1872 Adjutant-General Gorman visited Scuffletown and later reported on the conditions he found there. He was of the opinion that poverty was very prevalent among the Indians and also that the moral conduct of the Croats influenced their mental powers for the bad. He made a canvass of the district in an effort to obtain information concerning the robber band, but in every case the inhabitants absolutely refused to betray their kinsmen. They always professed ignorance. The lack of coöperation from the Indians themselves caused, as much as anything else, the failure to capture the gang sooner than it really was captured.

After the death of James Lowrie, his son, William, married Betty Locklear, a half-breed Tuscarora Indian. Thomas Lowrie, his second son, married Nancy Deas, a white woman. James Lowrie, his third son, never married. Allen Lowrie, a son of William, married Polly Cumba, a woman of Portuguese descent. He reared a large family of sons and daughters and four of his sons, Henry Berrie, Steve, Thomas, and William Lowrie, were members of the robber band which committed the numerous crimes in Robeson county in the latter part of the Nineteenth Century. The other four sons, according to fairly accurate reports, did not participate in the crimes with their brothers. Henry Berrie Lowrie was the youngest member of the gang, and, curiously enough, he was the leader of the band. There were two other members of the band who were related to the Lowries by marriage: Calvin and Henderson Oxendine, lineally descended from the mother of the Lowrie brothers. Mrs. Norment in her history of the Lowries relates a very interesting event in connection with John Strong, the father of Boss and Andrew Strong. Strong was attending the fall term of the Robeson County Superior Court when he was recognized by John Kelly and was forthwith addressed as

Gorman, his real name. Strong replied, however, that his name was not Gorman. Kelly told him to get out of the county because he was a villian, having killed a man in Alamance. Strong, it seems, had fled to Robeson county to save his neck and had later changed his name. The other members of the robber band connected with the Lowries by family ties were William Chavis and George Applewhite. There were only two of the robber band not connected with the Lowries through marriage. These were Zach McLaughlin, a low bred man of Scottish descent, and Shoemaker John, a negro.

Mrs. Norment gives a very interesting description of the robbers.³ Henry Berrie Lowrie was the chief of the gang. He was of mixed blood, being the grandson of James Lowrie. He was part Tuscarora and part Cavalier. He was very handsome when he was dressed up. His skin was somewhat copper in color and was affected neither by cold nor heat. A crescent-shaped scar under his left eye is said to have been inflicted by a coffee-pot when Lowrie was a child. The lineaments of his face expressed the highest degree of firmness, courage, and decision of character. He seldom talked and was very reticent in his general appearance. His conversation was never very intelligent, he always talking like an illiterate. His theme was usually of nature or human nature. He was constantly smiling, and, when he was angry, his smile was the smile of a demon. He wore a dark goatee; his hair was black and straight. He was twenty-six years old, about five feet ten inches in height and weighed about a hundred and fifty pounds. He was well knit and very active. Henry Berrie Lowrie was careless in his dress, usually wearing calfskin boots, a felt hat, a woolen coat and breeches. He was never known to be intoxicated but always carried whiskey in his pocket. He went heavily armed, carrying a knife and a double-barrelled shot-gun. He was ready at any time for a long campaign and could endure any hardship, swimming at times with all his pack on his shoulders and enduring cold and hunger. He defied society at all times and impressed the whole population with his superiority and powers as a brigand leader. He was a fugitive both from the Confederate, State, and United States governments, but to his

³ *The Lowrie History*, p. 9.

death he waged a bitter war against the citizens of Robeson county. He was loved by many women in Scuffletown. Many of them were engaged to betray him, but they either repented, or he discovered their intentions.

Henry Berrie Lowrie slept on his arms, never trusting even his own people. He always warned before he struck. He would never break a promise or violate a treaty. Those people who have been robbed the most will testify to the fact that he always kept his word. He never committed arson or offered to insult white women. The reward (\$10,000) offered for his arrest was the largest that had been offered since the time of Thomas Jefferson. His active campaign was longer than the Revolutionary War. Sometimes he killed; at other times he robbed and plundered, never confiding in anyone except those who were also fugitives from justice. He collected a band of murderers whom he commanded with absolute power. He placed himself in the position of "lord protector" of Scuffletown and was subsequently worshiped as a hero.

He married Rhoda Strong in 1866 when he was twenty years old. She was the daughter of John Strong and was very beautiful. In Scuffletown she was known as the "Queen of Scuffletown." Soon after the marriage ceremony was over, Lowrie was seized by a posse led by A. J. McNair and was taken to jail at Whiteville. He was charged with the murder of James P. Barnes. Late that night he sawed his way out with a file and fled to the swamps with his handcuffs still on. The whites could never decide how he got possession of the file. Again in 1868 he was confined to the jail at Lumberton. This time he made his escape by intimidating the jailer; when the jailer brought Lowrie his food, Lowrie pointed a pistol at his stomach and told him not to move for the next fifteen minutes; thus the daring robber chief made his second escape, never to be apprehended and brought before the bar again during his lifetime. After he escaped from the jail at Lumberton, he led the life of a hunted criminal. At one time his wife was placed in jail; he, together with his robber band, went to the home of John McNair and told him that they would retaliate on every woman in Robeson county if his wife was not

freed. He told McNair that she was not responsible for his deeds and should be treated accordingly. His purpose was to take the woman to Back Swamp, the camp of the outlaws and his home. His house had two doors, a plank floor, and a trap door in the floor which was used as a means of escape when Lowrie was being pursued by his enemies. The house is now desolate and serves only as a landmark for the murderous deeds of its owner.

Next to Henry Berrie Lowrie in command was his brother, Steve Lowrie. Steve Lowrie died in 1874. He was tall, well proportioned, and possessed tremendous strength. He struck one more as a brigand robber than an Indian outlaw. His hair was thick, black, and straight; his moustache was short, and his complexion dark and menacing. He was certainly of the type that boded evil to his fellow man. He was the oldest member of the outlaw band, and like the others he possessed an insatiate lust for robbery. He had a bad temper; on one occasion he quarreled with Henry Berrie Lowrie, who shot him in the eye for insubordination. He was the meanest looking of all the robbers and was feared more by the luckless victim who happened to fall into his hands than any other one of the robbers. He was the murderer of the unfortunate Detective Sanders. Once he was put into prison and later convicted of murder. However, his lawyer had him bound over to a higher court, and he later made his escape. These two brothers were the most prominent of the gang. The others, while engaged actively in the robberies, were not as great leaders as Henry Berrie and Steve Lowrie.

Tom Lowrie was the next in rank in the Lowrie gang. A more detailed description will be given of him in connection with his death. Andrew and Boss Strong, other members of the gang, were nearly white. Their grandmother was a white woman and their father a white man. John Dial, who turned state's evidence against the gang, was probably as mean as any of the others. He was indeed fierce looking, having a very large wart directly under his left eye. During the trial, the rest of the gang charged Dial with perjury. They also declared that he was the murderer of S. E. Ward. Dial was

also implicated in the murder of Reuben King. The details of Henderson Oxendine's part in the wholesale robberies will be given in connection with the death of Oxendine. Both Henry Oxendine and his brother Calvin looked very much like gypsies.

Shoemaker John, another member of the gang, was a negro. He was noted especially for his thieving qualities. In 1869 he and some other vagrants went on a plundering expedition. They robbed many people in Robeson and Richmond counties and took all their booty back to Scuffletown. Shoemaker John was later captured and sent to the penitentiary for ten years. He was glad of the sentence because the Lowrie band had repeatedly threatened his life.⁴ The Chavis family of Robeson county traced their ancestry back to the famous Cheves family of South Carolina. William Chavis, a handsome young man, tall and very muscular, joined the band. As soon as he was outlawed, he made his way into Georgia and later back to South Carolina. Zach McLaughlin was the only white man who was outlawed by the authorities of Robeson county. He, according to Mrs. Mary C. Norment, was the meanest white man in the county. Henry Berrie Lowrie gave him fifty dollars to kill Owen C. Norment. McLaughlin was killed by Henry Biggs. There was one other man who had dealings with the outlaw band; this was Bryan Gilbert. However, he was not a native of the county. Gilbert was killed one night in a raid on the house of David Townsend, on Aaron Swamp, near Asbury Church.

The outlaws carried on a rather unique mode of warfare. Their weapons were of the most modern type, and it has always been a mystery as to the source of their arms supply. They always went heavily armed. They generally carried a Spencer rifle, two double-barreled shotguns of the latest type, three or four revolvers, and several sacks of ammunition. Their whole pack weighed not less than ninety pounds. Every member of the band was an expert in the art of handling firearms. As Indians they had been reared with firearms by their side, and this condition, together with frequent occasions for encounters, made them very dangerous enemies. Their mode of warfare was very peculiar in many ways. They rarely ever went about

⁴ *The Lowrie History*, p. 17.

at night except when they intended to commit some robbery. They would then take advantage of the darkness by slipping upon their victim, unaware of their presence, and capture the whole family. They would then make off with all the plunder before the alarm could be given. When they sought a victim, they invariably "got him."

The outlaws were skillful in the construction of "blinds." They would construct these blinds along the road which they thought their victim would travel. Sometimes they would wait all night for him; and, when they saw him, they would shoot him down without any warning. A stranger would pass by these blinds without noticing them at all. This mode of ambuscade afforded a means for killing James P. Barnes, Owen C. Norment, Murdoch McLean, Job Taylor, Archibald McMillan, Hector McNeil, Alexander Brown, Col. F. M. Wishart, and Giles Inman. All of these men were loyal citizens of Robeson county and were considered good men in every respect. They met their death at the hands of these modern Robeson county Apaches. Ex-sheriff King met his death at the hands of these robbers while reading his paper by the fire in the library. In every instance their victim was an innocent man, in no way detrimental to the work of modern society.

The war on the people of Robeson county was primarily a war of revenge. It was a "bushmen's war." The immediate motive leading to the depredations arose out of an event which occurred in February, 1864. On this date Allen Lowrie and William Lowrie, the father and brother of the outlaws, were shot by an armed guard. They had been condemned for receiving stolen goods. Allen tried to shield his son, but the Home Guard discovered his duplicity. Henry Berrie Lowrie used this episode as a pretext for carrying on guerilla war against those who had condemned and executed his kinsmen.

IV

THE ATROCITIES

I have reviewed the early history of the Lowries, their origin and their surroundings. Now I will relate in part the many atrocities which they committed in the county. They

respected the rights of no citizen; no person, rich or poor, was overlooked in their robberies. They killed many of the most prominent citizens of the district. Nearly every farmer experienced their lust for plunder.

The first murder committed by the Lowrie gang was that of James P. Barnes. Barnes was shot about 9 a. m., December 4, 1864, and died on the same day. He was the postmaster at Clay Valley, Robeson county, and was on his way to work when he was shot down by men from ambush. He fell, and Henry Berrie Lowrie ran up to him and fired a load of buck-shot in his face, ignoring entirely Barnes' plea for mercy. Barnes remained in the woods for over two hours. Later he was found by his brother, Dr. John A. Barnes. He was removed as quickly as possible, but he soon died in great agony. This murder was one of the cruelest committed by the Lowries. They shot Barnes, a progressive citizen, in cold blood, and refused him mercy.

In January, 1865, Brantley Harris was killed by the gang. Harris had been an enemy of the band for a long time. He had had two of their family killed for an alleged theft, and the gang had never forgotten the incident. A warrant was issued for Harris' arrest. Later, however, he was let out on bail. The next Sunday he was riding with a young lady when he was fired upon by the gang from a blind. Harris was the only white man of questionable character who was murdered by the Lowries. It was reported that Harris and Henry Berrie Lowrie had had a dispute over a certain young lady in the county, and the result was the death of Harris. Harris had a wife and two children, but they had apparently no influence over him.

If these two murders had been the only crimes of the Lowries, the people of the county could have more readily forgiven them. But as a matter of fact these first two murders were but a forecast for future deeds. Out of the darkness of the night the robbers would creep upon a luckless victim and either kill him or leave his farm sacked and pillaged. John McNair, one of the foremost planters and farmers of the community, was robbed so many times that his entire fortune was con-

sumed. Conditions soon developed so that McNair could hardly feed and clothe his family. Yet he could do nothing to stop these wholesale thefts. Many poor farmers were robbed and left in the same destitute condition.

Outside of the robberies the Lowrie gang killed twelve of the most prominent citizens of the county. In every instance the band killed their victims in cold blood. Many times they would wound their victims and leave them to die a lingering death. At one time they entered the home of Daniel Baker. Baker ordered them out of the house; whereupon they shot him in the leg so that amputation was necessary in order to save his life. This incident serves to illustrate the wanton cruelty of the gangsters.

The murder of ex-sheriff King served as much as anything else to effect the capture of the gang; however, all of the robbers escaped a little later. King was reading the evening paper in his library when he was attacked by the gang. In the ensuing struggle he was shot through the lung, dying three days later. It was only a few hours after this murder that the outlaws attacked Henry Bullock, Sr. They handled him very roughly and later looted his house. Owen C. Norment's death occurred a little later at the hands of the gang. "On this occasion Norment had just finished telling his children some nursery rhymes, when, upon going out on the porch, he was shot. His leg was shattered, and amputation was necessary. He died thirty-six hours after he was shot. These murders are only a few, but they serve to give a further conception of the fiendishness of the gang. What a scourge to the people of the county."

There was only one time in the history of the Lowries when an armed band of citizens met the outlaws in an open battle. Other skirmishes occurred, but they were not large enough to warrant any explanation. On the morning of October 4, 1870, the entire band of outlaws visited the premises of Angus Leach, near Floral College. Leach had a brandy still, and the outlaws, after holding him up, proceeded to carry off his supply. In the meantime news of the affair reached Captain Murdoc McLean, in charge of the Home Guard at

Maxton, and he immediately dispatched his men in pursuit of the outlaws. The band was taken completely by surprise. They did not expect the soldiers to cross the river, and, when Captain McLean arrived with his men, all of the outlaws were carousing at the house of George Applewhite. This band of soldiers was the Home Guard which had been mustered in the county to put down the outlaw reign of terror. It was loosely organized and had very little coöperation from the people of the county. When the outlaws saw the soldiers coming, they ran into an adjoining field and tried to conceal themselves behind some stumps. The soldiers fired upon them, and during the fighting Stephen Davis tried to rush the outlaw position and was mortally wounded by Henry Berrie Lowrie. He dragged himself to a nearby swamp and fell over in the tall grass. Angus McLean was wounded in the leg but managed to swim across the river safely. Davis was found the next day, lying on his face and nearly famished. He died the same day.

On October 8, 1870, four days after the fight, Job Taylor was murdered. He had long been an enemy of the gang. The members of the gang tried to implicate him in the murder of Malcolm Sanderson, who was found dead near the saw mill of W. C. McNeil. However, Taylor was let out on bail. Later, as he was going home from Moss Neck depot, he was shot by Berrie Lowrie, Steve Lowrie, and Boss Strong. He received head wounds, his brains being scattered over a nearby stream. Taylor was in all respects a law-abiding citizen.

On Saturday night, February 20, 1871, Henderson Oxendine was captured at the home of George Applewhite by a band of young men organized for the sole purpose of running down the gang. They took him to the jail at Lumberton. These men showed a generous spirit in not killing him because a reward was on his head at that time; instead of killing him they turned him over to the authorities and let the law take its course.

Oxendine was tried before Judge Russell, convicted, and sentenced to be hanged. He went to his death bravely and without a murmur. Steve Lowrie and George Applewhite

were also tried and found guilty of murder, but they escaped from jail. These trials marked a turn in the course of events. It was the beginning of the downfall of the outlaws and led to a greater and more united movement against them. About this same time a movement in other counties than Robeson was started in an effort to solicit state aid. Up to this time the Lowrie situation in Robeson county had been regarded very lightly.

Following the execution of Henderson Oxendine, the gang became bolder and more reckless in their practices. They ambushed Hugh and Murdoc McLean and shot them down in cold blood. Later they killed Giles Inman in 1871 and Col. Wishart in 1872; both of these men were well-to-do citizens. The utter disregard for all life and property distinguished them as fiends, incapable of showing any mercy. Their carnal nature asserted itself more and more as time went by, and they destroyed without any knowledge of the reckoning that must follow.

Mrs. Elizabeth McRae, a prominent woman of Robeson county, whose husband was a farmer and merchant, lived in the Lowrie neighborhood in the early part of her married life. Her husband had in some way offended the gang, and they vowed vengeance. Word was brought secretly to Mrs. McRae by a faithful servant that the gang planned to murder her and her husband and burn their house on that very night. Her husband was away; she had no one in the house except a negro boy and a traveling salesman from Wilmington. She barricaded all the doors and windows, loaded all the firearms in the house, and stationed herself and her force near the front door, which commanded a clear view of the probable approach of the outlaws. Sure enough, between eleven and twelve o'clock she saw the murderers stealing through the darkness toward her; she waited until they were in the yard close to the porch and then she fired.

The enemy was taken completely by surprise and drew off with more than one wounded, and even carried one who appeared to be dead; although of this she was never certain. When she recovered enough to look after her own casualties, she found

the negro boy whimpering by her side but still clutching his gun. The salesman's gun was lying undischarged, and he was under the bed. Mrs. McRae told this story with great gusto, but never gave a hint as to the name of the man from Wilmington. So no one was murdered as far as she knew, and no house was burned.

It was soon after this incident that Boss Strong was killed. James McQueens killed him. McQueens saw Strong enter the house of his brother, Andrew Strong, on Thursday, March 7, 1871, and he immediately constructed a blind in order to await further developments. After awhile he saw Boss and Andrew come out of the house, each with a rifle in his hands. But after conversing awhile they went back into the house. McQueens then made his way on all fours and looked into the cabin from a cat hole. Boss Strong was lying down by the fire, not three feet away from the cat hole. McQueens shot him at close range. Boss Strong never got up from the floor. Andrew Strong rushed out to find McQueens, but the young man escaped and came back the next day with an armed posse. Rhoda Lowrie and the wife of Andrew Strong were in the house, but the body of Boss had been removed into unknown parts. Boss Strong was Henry Berrie Lowrie's chief lieutenant. His death was a mortal blow to the outlaws. McQueens received \$5,000 for killing Strong. The *Wilmington Star* in referring to the death of Boss Strong at first doubted his death, but later the report was confirmed.

V

SUPPRESSION OF THE GANG

In 1870 Governor Caldwell recognized the seriousness of the Lowrie situation, and he subsequently commissioned Adjutant-General Gorman to go to Robeson county and capture the outlaws. Gorman was to have the 58th. and 59th. regiments as his troops and was to muster as many citizens of the county as he could. Gorman went to Robeson county. He issued a proclamation beseeching every citizen to coöperate with him in running down the outlaws. But this produced only halfway

results. The citizens of the county responded half-heartedly, and the result was that the expedition was a failure. Gorman was forced to withdraw. He could never find the outlaws. His every move was forwarded to the gang, and they knew when he moved his camp. The Home Guard and his troops were at outs with each other, and, whenever a call was made for volunteers to go on some expedition into the swamps, only a handful would volunteer. So in 1871 Gorman was forced to withdraw after a most unsuccessful stay. In October of 1871 he issued a statement in the *Wilmington Star*, stating why he did not succeed in capturing the gang. First, he declared, the community was of a divided opinion on the proper methods to pursue to capture the outlaws. He commissioned Colonel Wishart colonel of the 59th. regiment and ordered him to get as many local volunteers as possible. Wishart's call on the citizens produced only nineteen volunteers. Thus there was a general lack of coöperation. Gorman sponsored one thing, while the citizens were in favor of another.

General Gorman gives a good description of Scuffletown in connection with his stay in the county. He declared that all the Scuffletonians were in sympathy with the outlaws. He went to nearly every house in Scuffletown in an endeavor to find out something about the gang, but the inhabitants absolutely refused to give him any information; yet they were not insolent in their manner. Gorman also said that every movement of his officers was given to the Lowrie gang by some of the inhabitants. Another reason for failure, as was stated by Gorman, was the lack of sufficient troops. Ninety recruits from the two regiments of militia deserted, and the lack of coöperation on part of the people discouraged the soldiers. In a final attempt to come to some settlement Gorman had a conference with the outlaws. He conversed with the robber chief and his confederates. His description of them conforms to the one given by Mrs. Norment. The outlaws denied many of the crimes of which they had been accused. They defended part of their actions on the ground that they were persecuted by the whites. Gorman tried to get them to surrender. Henry Berrie Lowrie, however, was afraid of this, and he offered instead to leave

the state if he would be pardoned. Gorman declined this offer. The general was of the opinion that the gang did not look like murderers. Soon after his negotiations with the band, he retired from the county and gave up the chase. Thus the failure of Gorman can be attributed to the lack of coöperation on the part of the citizens, the impassibility of the swamps, the desertion of the soldiers, and the attitude of the Scuffletonians.

The failure of Gorman in 1871 led to more action in the state legislature in January 1872. In that year a bill was passed offering a reward of \$10,000 for the capture of Henry Berrie Lowrie and \$5,000 for each of the other robbers. On February 21, 1872 Governor Caldwell issued a proclamation stating the rewards and exhorting the citizens of the state to do all in their power to bring the outlaws to justice.

The *Wilmington Star* confirmed the report of the death of Boss Strong and gave a complete description of his death. At first, it was thought by the people of the county that the other outlaws had taken the body off to another county. But later the burial place of Strong was discovered.

The death of Strong was followed by the death of Henry Berrie Lowrie on February 20, 1872. The outlaws had gone to the home of Tom Lowrie, following a raid on Lumberton, and, fearful of attack, they had built a fire near a corn crib and had begun to clean their firearms. It was here that Henry Berrie Lowrie met his death. He was trying to get a load out of his shotgun when the trigger caught on the edge of the crib, and the entire load was discharged in his face. His nose was shot off and his whole face shattered. The rest of the outlaws buried the body under the crib until morning when they exhumed the body and buried it in a place unknown to this day. This is Mrs. Norment's version of the death of Henry Berrie Lowrie. The *Wilmington Star* of March 28, 1872, gives an entirely different account. Its version declares that Steven Lowrie and Henry Berrie Lowrie were ranging in the vicinity of Moss Neck. They came upon a blind during their walk. Henry Berrie Lowrie thought this blind had been made by an enemy, and so the robber chief decided to remain there to see whether the constructor of the blind would return. Steve

Lowrie left him there and had walked ahead for about two hundred yards when he heard the report of a gun. He ran back to the blind and found Henry Berrie Lowrie lying on his back with his face and head shattered. The theory that he tripped on a root and discharged his gun was generally accepted. This report by the *Star* also says that the burial place of the robber chief was never known. It is not known which of these reports is true. Both seem probable. It would seem that the newspaper version should be more authentic since it was printed soon after the death of the robber chieftain. A little after the first article concerning the death of Henry Berrie Lowrie appeared in the *Star*, another article reported that he had fled to another state. However, a few days later this report was declared untrue. Some of the citizens of the county believe even today that Lowrie fled to Oklahoma and died there several years ago. It is probable that these beliefs are only legendary. The treasure of Henry Berrie Lowrie was never found. It still lies in its hiding place. The robber chief would never tell even his wife where he kept his booty. He took most of the profits himself, and there is no doubt but that he had a good fortune amassed. So passes away the chief of the outlaw band. His death virtually broke up the gang.

Andrew Strong met his death at the hands of William Wilson, a railway clerk. Wilson had been threatened by Strong repeatedly. One day Strong was standing in front of the store, facing the street. Wilson had placed a shotgun under the counter, and he immediately took the shotgun out and shot Strong in the back of the neck. He carried the body to Lumberton where he collected the reward. Strong was the most subtle of the outlaws. He was a veritable sneak and coward.

With the death of Strong there remains only one more member of the outlaw band—Stephen Lowrie. His death was accomplished after a long vigil and search. He was killed on February 23, 1874 by a Mr. Patterson, a young man of Robeson county. Steve Lowrie was held in awe by many Indian women and girls. He would often beat them and in some instances threatened to kill them if they gave any information

concerning his whereabouts. Steve went about from place to place in apparent safety, but his paths were watched at all times. He went to many parties and social functions just before his death, but on every occasion he eluded his foes by taking some by-path. Lowrie kept up this game for a long time, and like all other rogues he met a rogue's fate. On the night that he was killed he compelled Davis Bullard to accompany him to the home of John McNair to get some chickens. Later Messrs. Patterson, Holcomb, and Sutton, who had been searching for Steve, found him picking his banjo under a tree in his front yard. They all fired, and Steve Lowrie fell over dead. "As he measured out to others so was it measured out to him." Patterson was given credit for firing the shot that killed Steve. The body was carried to Lumberton, and the reward was collected. So ended the long reign of terror, involving a whole county and extending over eight years of bloodshed and robbery.

The *Wilmington Star*, during the time of the Lowries, printed all the news concerning the gang. Their files contain some interesting stories. The issue of March 15, 1872 confirmed the death of Boss Strong and brings out the fact that Boss was blowing on his harp when he was killed. His wife thought that the harp had burst and hit him in the head. On this same occasion Andrew Strong made the women go out of the house; he remained hidden inside for over two hours.

On March 23, 1872, Henderson, the correspondent of the *New York Herald*, arrived in Robeson county. He went to the home of Henry Berrie Lowrie and was then carried off by the gang. Henderson evidently thought that the gang was a joke. He was very much surprised when Henry Berrie Lowrie told him that he would be held captive for two or three weeks. Later Henderson was allowed to go wherever he pleased on parole. He went about with Rhoda Lowrie as an escort. Henderson was very unpopular with the people of the county. They thought he was a member of the gang sent down by the Yankees. The very fact that he was a Yankee turned the people against him. On March 26, 1872, Henderson was freed and returned to the North. When he passed through Wilming-

ton, his enforced servitude seemed to have disgruntled him. At any rate he refused to give any information concerning the gang.

When he returned to New York, he wrote an account of the death of Boss Strong. Later he published a book entitled *The Swamp Angels*. This book is said to have sold well in the North. It was Henderson who gave out the story that Henry Berrie Lowrie was in a "blind" when he was killed. He also said that the blind was near Inman's Bridge. The correspondent also said that Boss Strong buried his chief. Henderson's account of the death of the robber chief was generally accepted by North Carolina newspapers.

On February 1, 1872, a bill was passed in the North Carolina legislature forbidding the sale of liquor within a mile and a half of Back Swamp Church, Robeson county. Back Swamp was near the Scuffletown district, and was a general stamping ground for rum runners and distillers. The church members became tired of this practice and appealed to the legislature. The liquor sellers became so thick in the district that church services could not be held. This bill broke up the liquor traffic to a large extent.

The *Star* of October 11, 1871, tells of an amusing incident concerning the robber chief. Henry Berrie Lowrie was always noted for his daring and recklessness. One day he got in a small rowboat and rowed down the Lumber River in full view of a company of soldiers who had been stationed there by General Gorman in an effort to capture the robbers. Lowrie was in midstream; he yelled at the soldiers. They fired at him, but he stooped down in the boat and floated on down the river. The article was headed, "Lowrie at His Tricks Again." In practically every article the Wilmington paper showed an air of indifference and mild irony in referring to the Lowries. The editor seemed to think that the whole situation was a joke.

Another issue of October 17, 1871, tells of Henry Berrie Lowrie as a coon hunter. Oakley McNeil from near Scuffletown had treed a coon in a swamp. He heard some one coming, and at the time he thought it was Lowrie. He ran and left the coon up the tree. The next day he was talking to

some friends when Lowrie came up and gave him a dead coon, saying that McNeil's dog had treed the coon, and therefore it belonged to the owner of the dog. Lowrie then asked for the use of the dog, which was lying near his master. McNeil refused but told him he could have another one at home. After conversing a few minutes Henry Berrie walked off. A few months after this episode Henry Berrie Lowrie went to the home of a Mr. McKenzie near Scuffletown, walked into the house and sat down to dinner with the rest of the family. He acted very polite. He told the people there that he was not going to rob any more at night. He was heavily armed. The robber chief was not molested because his band was camping nearby. There are many other interesting stories about the Lowrie robbers. These I have related serve to throw some light on their personal side. General Gorman seemed to think that after all the robbers were human.

There is little more to add concerning the history of this cruel but interesting family of Indians. Only tales of their murderous deeds act as landmarks to their reign of terror. No band of outlaws in the history of the United States ever remained at large so long. No community has ever suffered such losses as the people of Robeson county. No person could walk or drive along a country road without some apprehension for his safety. Old citizens of the county said that even the horrors of the Civil War were rivalled in the reign of terror carried on by the Lowrie gang. When a farmer retired at night, he was fearful lest at any time this bloodthirsty band of rascals might come through the brooding darkness and carry off all his worldly possessions in plunder. Their haunts were in the midst of swamps where few men could penetrate. Only perseverance made possible the apprehension of the gang and sent them to everlasting perdition. Few have written of their deeds, but the memory of them still lingers in the minds of many citizens and will unto the end of time. Mrs. Norment is their only biographer, and her history is practically the only chronicle of their deeds.

VI

LATER HISTORY OF THE CROATANS

In 1914 the United States Senate passed a resolution ordering a special investigation of the conditions of the Indians in Robeson county and appointed O. M. McPherson as special agent to carry on the investigation. On July 25 of the same year Mr. McPherson proceeded to Robeson county via Lumberton and began his investigation. His report contains much information on the position of the Indians today. McPherson carried on a thorough investigation. His report also contains the different theories concerning the origin of the Croatans. He quotes Stephen B. Weeks and Hamilton McMillan, and his opinion conforms with what has already been taken up in this history concerning the Lost Colony of Roanoke.

In describing the present condition of the Indians, Mr. McPherson says that they are essentially a farming people, living mostly in the country, and in most cases their conditions are identical with those of the whites around them. However, there is a much greater per cent of tenancy among the Indians, which accounts for their lesser degree of prosperity. It is estimated that only one-quarter of the farmers own their own land. But in the districts where the Indians hold relatively large tracts, Mr. McPherson says that the relative wealth of the Indians and the whites is the same. He also remarks that the farm houses of the Indians from all outward appearances show just as much care as those of the whites. It was also brought out in his report that much of the land was bottom land and is often inundated in the spring and thus rendered useless part of the time. The tillable land is very rich and especially adaptable to tobacco and melons.

Many of the old Croatans, who are unable to take care of themselves, are extremely needy, and Mr. McPherson emphasized the fact in his report that they should be sent to the county home of Robeson county. All of the Indians speak the English language and all live in houses. The agent suggests that this is especially peculiar, but when it is realized that the Indians have been in direct contact with civilization for over

three hundred years and that some of their ancestors were Englishmen, it is no small wonder that they should live in houses and speak the English tongue.

In 1913 the property valuation of Indian lands in Robeson county was \$506,094, and the number of voters was 1,010. Since that time, however, their property assessment has almost doubled, and, due to war prosperity, their relative wealth has been increased.

Up to 1885 these people were without name. In that year, through the efforts of Hamilton McMillan, they were designated "Croatan Indians" by an act of the General Assembly February 10, 1885. By this same act separate schools for their children were granted. All this was done after the Lowrie band was dead. Thus it is not difficult to see the conditions the Lowries and the Strongs grew up under. They were illiterate and ignorant, and they were aided by a totally ignorant populace who had been deprived of practically all educational facilities for over fifty years. Since 1885 the Croatans have advanced very rapidly in education. They appoint their own teachers, all of whom are required to have certificates from a normal school. In 1913 over half of the Indian children attended school. Recent statistics show that the percentage of attendance has increased with the increase in population.

In 1887, by an act of the General Assembly, a provision was made for the erection of a normal school in Robeson county for the Indians. Four Indian trustees were appointed to look after the school, to appoint the teachers and instructors, and in general to look after the first year's work; \$500 annually was appropriated for the expenses of the school. At first the college was located at Pates in a district school building, but, when the old building was destroyed by fire, the school was removed to Pembroke. In recent years appropriations have been increased to \$2,750; a movement is also on foot to widen the scope of the school. Nearly every teacher in the schools in Robeson county is a graduate of this normal school. Its attendance increases every year to the exhaustion of the appropriation.

By the amendment to the state constitution in 1835 the Croatans were prohibited from voting anent the clause that provided that no free mulatto or negro to the fourth generation shall vote for the senate or the house of representatives. Further the clause stated that all marriages in the future between negroes and whites should be void. In 1868, however, the Indians regained the franchise. In 1902 the "grandfather clause" was inserted and again many of the Indians lost their right to vote. It is well to note here that the franchise of the Lowries and the Oxendines always remained intact. They were very powerful and influential, and were ranked with the white citizens. The Lowries had no negro blood in them; they were of Cavalier and Indian stock. It was merely the rabble that followed Lowrie who had been disfranchised since 1835. They formed the mongrel type that composed the populace of the noted Scuffletown district.

In 1911 the General Assembly repealed the measure which designated the Indians of Robeson county as Croatans. They decreed that they should be called "the Indians of Robeson county." Also the Indian school was to be called "The Indian Normal School of Robeson county." By another clause of the same act it was provided that the superintendent and directors of the state hospital for the insane at Raleigh be authorized to set apart at said hospital suitable apartments and wards for the accommodation of any of the Indians of Robeson county, who may be entitled to enter the hospital by virtue of the insane laws. Still another section provides that the sheriff furnish separate cells in the jails and separate apartments in the county home for the Indians. This legislation, had it come prior to 1860, would no doubt have had its effect on the Lowrie band. It is probable that there would never have been a Lowrie gang. The Indians would have had less cause for complaint.

In referring to the needs of the Robeson county Indians, McPherson suggests that any financial aid in improving the land would materially benefit these Indians. The great majority of families, as a result of a canvass by the special agent, believed that the creation of an institution of higher learning would probably be the best means for extending aid to the Indians.

An agricultural and technical school was suggested. The Indians are too poor to attend Carlisle University and are prohibited from attending any state schools. All of the Indian children are quick to learn, and show more than the average degree of intelligence. Mr. McPherson firmly believes that the Indians are capable of learning the mechanical trades. At the close of his report he suggests that in case Congress makes an appropriation, it should be used in the establishment of an agricultural and mechanical college for the Indians of Robeson county.

